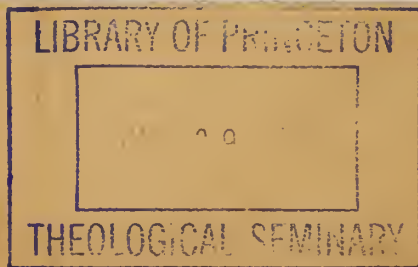


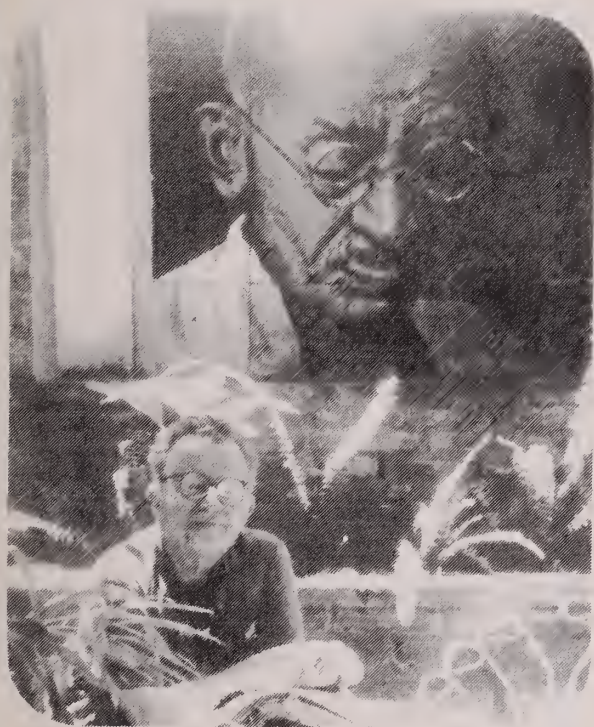
THE NATIVES OF SOUTH AFRICA

EDITED BY THE SOUTH AFRICAN
NATIVE RACES COMMITTEE



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The natives of South Africa





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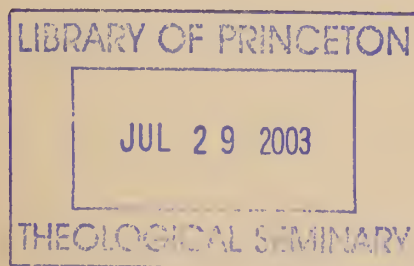
THE NATIVES OF
SOUTH AFRICA

THE NATIVES OF SOUTH AFRICA

THEIR ECONOMIC AND
SOCIAL CONDITION

EDITED BY

THE SOUTH AFRICAN NATIVE RACES COMMITTEE



LONDON

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THE SOUTH AFRICAN NATIVE RACES COMMITTEE

MEMBERS OF COMMITTEE

JOHN MACDONELL, ESQ., C.B., LL.D., *Chairman*

E. BATESON, ESQ.
S. V. BLAKE, ESQ.
H. R. FOX BOURNE, ESQ.
ROBERT NEEDHAM CUST, ESQ.,
LL.D.
THE VERY REV. THE DEAN OF
DURHAM, D.D.
FRANCIS W. FOX, ESQ.
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D. A. HUNTER, ESQ.
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PROF. A. F. MURISON, LL.D.

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ESQ.

THE REV. CANON RAWNSLEY.

F. A. C. REDDEN, ESQ.

THE REV. CANON SCOTT-
HOLLAND.

HUGH E. SEEBOHM, ESQ.

EDWARD T. SLATER, ESQ.

REV. JAMES STEWART, D.D.,
M.D. (of Lovedale).

REV. R. WARDLAW THOMPSON.

THE HON. JOHN TUDHOPE.

REV. W. C. WILLOUGHBY.

} *Joint Hon. Secretaries,*
15, DEAN'S YARD,
WESTMINSTER, S.W.

INTRODUCTION

THE OBJECTS OF THE COMMITTEE

THE origin and objects of the Committee may be briefly explained. It was the desire of a few persons who had long been interested in the welfare of the natives of South Africa to collect accurate information with regard to their social and economic condition. In their view the time had come when such an investigation, conducted without reference to preconceived theories, might be of considerable practical use. They were encouraged in their purpose by several persons intimately acquainted with the native populations of South Africa. Towards the close of 1899 the Committee was formed and at once began inquiries. In making them the Committee have been more and more impressed by the lack of information in some branches of the subject, and the need for arranging the statistics and other materials already collected. The Committee have sought information in all quarters, and they now close this stage of their inquiry with no desire to dogmatise or to be in any way censorious. As one of their correspondents remarks, "the state of European feeling in South Africa is not such as to call for a polemical

treatment of the subject of native races." "Perhaps, too," as the same correspondent adds, "there is justification for the somewhat jealously sensitive feeling of South Africans, both Dutch and English, in the matter." The Committee recognise the gravity of the task of dealing with a large and growing coloured population, and of the value of much of the existing legislation in reference to native questions. They also recognise that local experience and knowledge are essential to the solution of the problem. At the same time, they hope that their work, undertaken to support no particular set of opinions, may prove of service in removing misconceptions and stimulating further inquiry, and that some of the suggestions which they make may be thought worthy of the consideration of the Imperial and Colonial Governments.

The Committee desire to acknowledge the generous assistance which they have received from many correspondents both in this country and in South Africa, to whom they are indebted for much valuable information and advice.¹ Such support will, they venture to trust, be continued. In particular, the Committee hope that they may in the future have the co-operation of many persons in South Africa whose experience and knowledge of native life give special weight and interest to their opinions, but who have hitherto, for various reasons, stood somewhat aloof from movements for the benefit of the natives. The Committee will be glad if similar associations are

¹ A list of the Committee's correspondents and extracts from the replies received from them in answer to a circular issued by the Committee will be found in Appendix A, pp. 251 ff.

established in South Africa—not to collect grievances or to stir up strife, but to watch over the interests of the natives, and, by the publication of accurate information, to educate public opinion and weaken prejudices of race.

A word is necessary with regard to the preparation of this Report. With so large a Committee, including members living far apart, and some of them residing in South Africa, it has been impossible for each individual member to share directly in the work of compiling the evidence, and checking the accuracy of the statements contained in the Report. Though all the members of the Committee are unanimous in their approval of the objects in view, they must not all be considered responsible for particular statements and conclusions. The preparation of them has necessarily devolved upon a small Executive Committee, advised and assisted in their work by several persons who have held responsible positions in South Africa.

LIST OF THE COMMITTEE'S INFORMANTS AND CORRESPONDENTS

REV. S. AITCHESON.	MR. W. NICOLSON.
REV. W. ARTHUR.	MR. LIONEL PHILLIPS.
REV. CANON BALFOUR.	THE RIGHT REV. THE BISHOP
REV. E. J. BARRETT.	OF PRETORIA.
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COADJUTOR OF CAPE TOWN.	THE LATE BISHOP OF ST
REV. D. CARNEGIE.	JOHN'S.
REV. ALFRED CASALIS.	MR. S. C. CRONWRIGHT-
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MR. LEWIS L. MICHELL.	MR. W. SPENCER WALTON.
MR. HENRY W. MILLER.	MR. JAMES W. WEIR.
MR. A. MOSELY.	REV. CANON WOODROOFFE.



THE NATIVES OF SOUTH AFRICA

CHAPTER I

*NATIVE RACES AND POPULATION*¹

§ 1. NATIVE RACES

THE natives of British South Africa for the most part belong to the Bantu race. There is a considerable mixed population in the western districts of Cape Colony; but with this exception the Bantu element is almost everywhere predominant. Remains of the earlier inhabitants are still, however, to be found in the Vaalpens of the Northern Transvaal and the Bechuanaland Protectorate, the Bushmen of the Kalahari Desert and the Hottentots.

The Vaalpens are a pigmy race, of black complexion, and are said to be "the true aborigines in Africa, south of the Zambesi." They are the most degraded of the peoples of South Africa, living in caves and holes and practising cannibalism.

The Khuai, or Bushmen, of the Kalahari Desert have reached a somewhat higher stage of development. Like

¹ The particulars contained in this chapter with regard to the native and coloured population of British South Africa are mainly derived from the following sources: *The Report of the Director of the Cape Colony Census of 1891*, Dr. Theal's *History of South Africa*, A. Featherman's *Social History of the Races of Mankind: Nigritians*, A. H. Keane's *Africa and The Boer States*, and a paper on the "Native Races of South Africa," by Dr. A. P. Hillier, published in *The Proceedings of the Royal Colonial Institute*, vol. xxx.

the Vaalpens, they are a race of diminutive stature,¹ but they are yellowish brown in colour, and in this and other respects resemble the Hottentots, with whom they were confounded by the early European settlers. Their cranial capacity is said to be extremely low—about the same as that of the Australian aborigines; they are further characterised by high cheek-bones, bright eyes, small feet and hands, and a curiously tufted growth of wool on the scalp. They are a race of hunters, living in caves and holes or rough shelters. They have little or no knowledge of agriculture, but some of them keep cattle or sheep. Usually, however, they depend for food upon the fruits of the chase and raids on their neighbours' cattle and sheep, eked out by locusts, roots, and anything of an edible kind that comes in their way. There are no chiefs, but "each father of a family is the absolute master of his own household." Early explorers reported the Bushmen to be monogamists; but polygamy is tolerated, though they are, as a rule, too poor to maintain more than one wife. In spite of their debased condition they are said to be an intelligent race, and naturally humane. Under the ruthless treatment which they have received for centuries from their enemies, both white and coloured, they have become wild and desperate. Dr. Theal states: "To the present day there is no instance that I am aware of on record of a pure Bushman having permanently adopted the ways of civilised life." Some Bushmen are, however, in the service of the Bechuanas as herds, and they are said to be acquiring more settled habits. Their weapons are spears, wooden bows and arrows, the latter usually pointed with bone and dipped in poison. They make earthenware pots for cooking, and plait coarse mats of grass or rushes, which they

¹ The Balala or Bechuana Bushmen are taller, but are probably a mixed race (see Featherman, p. 526).

coat with clay or grease and use for shelter or bedding. With these exceptions, they appear to be ignorant of industrial pursuits. They have, however, developed a rudimentary art. The pictures which they have sketched, sometimes in colour, on the sides of cliffs or on the walls of their caves or on stones round fountains, often representing scenes from the chase or war, are described as remarkable for "accuracy of delineation" and "the judicious manner of grouping the figures." The Bushmen are also stated to have "an extremely rich oral folk-lore literature." They appear to have originally come from the districts round the Lakes Nyasa and Tanganyika, and to have wandered over a considerable portion of South Africa. Now they are confined to the Kalahari Desert and Bechuanaland.

Their neighbours and constant enemies the Hottentots,¹ or "Khoi-Khoi" ("Men of Men"), as they term themselves, are ethnologically closely related to them. They have the same yellowish brown colour, high cheek-bones, small hands and feet and tufted growth of wool on the scalp. But they are physically a better developed race than the Bushmen, owing probably to an admixture with one or other of the higher races of North Africa. Whether they have any blood relationship with the Bantus is still a disputed point. They are thought to have migrated from even further north than the Bushmen, and they seem to have spread over a large part of South Africa until they were driven west by the stronger Bantu tribes. When not under the influences of civilisation, they live in small communities, each kraal, or village, having its hereditary chief. The powers of these chiefs are limited, and justice is administered by a court composed of all the men of the kraal. There are no great tribal chiefs. The

¹ The name "Hottentot" was given by the Portuguese.

Hottentots own herds, but they are ignorant of agriculture. They smelt iron, and have long used copper for ornaments. The excellent tempering of their earthenware jars was specially noted by the early Dutch settlers. Their dress is composed of karosses, or rugs made of skins of animals. Their weapons are bows and arrows, assegais and knobkerries. Polygamy is recognised. The bridegroom is expected to provide cattle to be killed at the wedding. The Hottentots are described as a light-hearted race, fond of music and dancing, and more imaginative, though less stable, than the Bantus. They are in peculiar danger of being demoralised through their love of intoxicating liquors and the excessive smoking of *dacha*. They practise a form of ancestor worship, and believe in ghosts and witchcraft; but their religious conceptions are of a very rudimentary character.

There are still in Namaqualand and along the banks of the Upper Orange, Vaal and Modder Rivers some twenty thousand Namaquas and Korannas who speak the Hottentot language and in some degree succeed in resisting the solvent influences of civilisation. Otherwise the Hottentots have practically lost their separate nationality. Most of them speak Dutch and have adopted European dress. Many find employment under white masters as domestic servants or farm labourers, and in similar capacities.

In striking contrast to the fate of these broken and decaying peoples is the present position of the Bantus.¹

¹ "The term 'Bantu' is a native word meaning 'people' (from *Aba*, or *Ba*, plural form of *um*, *umu*, the personal prefix, and *ntu*, a man, a person). It was first applied by Dr. Bleek to all the peoples south of the Zambesi who are neither Bushmen nor Hottentots, but speak various forms of a now extinct stock language, and are therefore assumed to belong to one racial group" (A. H. Keane, *The Boer States*, p. 97). The term "Kafir" is an Arabic word meaning "infidel." It is practically used as synonymous with Bantu, but is not strictly applicable to the Basutos, Bechuanas, and Mashonas.

With a fine physique the Bantus often combine considerable mental ability ; and, unlike so many aboriginal races, they have shown an extraordinary capacity for adapting themselves to new conditions. The contact with European civilisation—often so fatal to the native—has little, if at all, impaired the vigour and vitality of the Bantus. There is considerable difference of opinion as to their rate of increase, but there seems to be no doubt that they are steadily growing in numbers. British rule has removed some of the most effective checks on the increase of population. Sanguinary tribal wars have ceased, food has become more plentiful, and famine rarer. On the other hand, civilisation has introduced checks, such as syphilis and intoxicating liquors, and the natives seem to be peculiarly susceptible to certain diseases.¹

It is generally agreed that the Bantus are a mixed negroid people. They have the woolly hair, dark complexion, and thick lips of the negro, but the nose in many cases is more prominent ; and there are signs of a considerable admixture with the Galla or Arab races of North Africa. In the families of the chiefs, among whom these Hamitic and Semitic elements are most frequently found, the features are sometimes almost aquiline.² They

¹ See speech of Dr. Te Water, on April 5th, 1897, on introducing Public Health Act Bill. He stated that in the previous year (1896) there was a wave of epidemics. There was an epidemic in Cape Town which seemed to have gone up to the country districts. The increase in the country districts was perfectly marvellous. Referring to the coloured races, the statistics in connection with which were fairly accurate, although not perfectly reliable, he found that things, so far as natives were concerned, were in some places in a most shocking state. In Port Elizabeth the death-rate was 63 per 1,000 ; in Graaff Reinet, 67 per 1,000 ; and in Beaufort West no less than 97 per 1,000. Practically in Beaufort West the coloured population had been decimated during a year by disease.

² Colonel Lugard suggests that the Bantu chiefs often took their wives from the higher races of North-west and North-east Africa, and hence the higher type to be found in their families. Khama is said to have come from this stock.

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have a well-developed tribal system,¹ which is still maintained in the native territories and reserves, but the power of the chiefs in many parts is rapidly declining. The Bantus keep flocks and herds and cultivate the soil, and they have some knowledge of the arts of iron smelting, moulding pottery, and wood carving. Their dress consists of skins—leopards' skins being the mark of the chief—and European blankets, the latter being specially in use amongst the colonial Kafirs. Their weapons are assegais, shields and knobkerries. They believe in spirits and ghosts, whom they propitiate by sacrifices, and they are said to have "a vague notion of some power transcending that of common ghosts."² They have a profound belief in witchcraft; the wizards, whose power is now declining, have in the past exercised a great and pernicious influence over them.

The Bantus of British South Africa may be divided into three groups :—

(1) The Zulu-Xosas, or Zulu-Kafirs (in Zululand, Kaffraria, Transvaal, and Matabeleland).

(2) The Basutos and Bechuanas (in Basutoland, Orange River Colony, Transvaal, and Bechuanaland).

(3) The Amatongas (in part of Zululand); Swazis (in Swaziland); Fingoes (in the east of Cape Colony proper and Transkei); Mashonas, Makalakas, and Banyai (in Southern Rhodesia); and others. This group probably represents "the first wave of Bantu migration to South Zambia."³

These groups are marked by distinctive characteristics : the first being better developed physically and displaying superior courage and ability in war; the others, speaking

¹ For the Bantu tribal system, customs, and tenure of land, see *infra*, chaps. ii. and v.

² Bryce, *Impressions of South Africa*, p. 92.

³ This is the classification adopted by Mr. A. H. Keane.

generally, showing more capacity for industrial and commercial pursuits.

As regards their social development, the Bantu peoples fall into two classes: (1) those who have retained their old tribal institutions; and (2) those who have been incorporated into white communities. The former class, or the *Tribal Bantus*, are to be found in the native reserves of the Transkeian territories of Cape Colony, Basutoland, parts of Natal, Zululand, the North Transvaal, Rhodesia, and Bechuanaland. The second class, or the *Detribalised Bantus*, are scattered over the greater part of the rest of South Africa, particularly in the east of Cape Colony proper, Natal, the Transvaal, and the Orange River Colony.

In addition to the native population above mentioned, there is, both in Cape Colony and in Natal, an important coloured population which has immigrated from over sea. In the seaport towns of Cape Colony the "*Malays*" are an interesting relic of the days of the Netherlands East India Company. They are now so mixed with other elements that the term "Malay" is somewhat of a misnomer; and they might, perhaps, more accurately be described as "Mohammedans." Their common faith, together with their peculiar habits, costume, and social position, make them a distinct and conspicuous section of the community.

In Natal the deficiencies of the Bantus as workmen have led to the importation of a considerable number of *Indian* coolies to supply the labour required on the farms and sugar plantations, and in the mines. India (with Zanzibar) also supplies another class of immigrants in the "Arab" retail dealers of the colony, who are mostly Mohammedans from Bombay and the neighbouring ports.

§ 2. POPULATION

(a) *Cape Colony*

By the census of 1891 the population of Cape Colony and British Bechuanaland (since incorporated in the Colony) was ascertained to be about 1,590,000, of whom about 382,000 were whites, 14,000 Malays, 52,000 Hottentots and Bushmen, 891,000 Bantus, and 251,000 of mixed and other races. Pondoland and Port St. John's have also been incorporated in the Colony since the date of this census. The populations of these districts (estimated at the end of 1899 at about 1,100 Europeans, 204,000 Bantus, and 1,000 mixed) should therefore now be added to the above figures. Details of the population of the Colony are given in the annexed tables.

The first of these tables (Table A) contains the census returns for the population of Cape Colony and British Bechuanaland in 1891. As the Bechuanaland returns did not include natives living in reserves, we have added the latest magistrates' estimates of the numbers of such natives. Table B gives the population of Cape Colony as at present constituted, and therefore includes the districts which have been incorporated since 1891. In this table the figures for the Transkeian territories and Walfish Bay are taken from the magistrates' estimates of population for 1899.

Most authorities are agreed that, owing to the controlling force of the Government, the abolition of wars and feuds, and the increased supply of food, the population is increasing rapidly. This is borne out by the annexed tables; wherever late returns are available, they show a marked increase of the native and coloured population. For example, in Tembuland the Bantus appear to have increased between 1891 and 1899 by more than 25 per cent.

TABLE A

POPULATION OF CAPE COLONY AND BRITISH BECHUANALAND (FROM CENSUS OF 1891, WHICH DID NOT INCLUDE PONDOLAND AND PORT ST. JOHN'S, THESE TERRITORIES NOT HAVING BEEN, AT THAT DATE, INCORPORATED IN THE COLONY)

	European or White.	Malay.	Hottentot.	Fingo.	Kafir and Bechuana.	Mixed and Other.	Total.	Area in Sq. Miles.	Average Population per Sq. Mile.
1. The Colony Proper	336,938	13,097	44,030	83,277	252,359	226,784	956,485	191,857	4·9
2. Griqualand West .	29,670	803	4,686	1,785	31,278	15,153	83,375	15,077	5·5
3. Griqualand East .	4,150	4	286	40,967	102,884	4,327	152,618	7,594	20·9
4. Tembuland .	5,179	2	582	22,703	150,713	1,236	180,415	4,117	43·8
5. Transkei .	1,019	—	185	80,948	71,147	264	153,563	2,552	60·2
6. Walfish Bay .	31	1	619	—	75	42	768	430	1·8
7. Bechuanaland .	376,987 5,211	13,907 11	50,388 ¹ 1,462	229,680 91	608,456 ² 52,427 ⁴	247,806 ³ 2,950	1,527,224 62,152	221,627 51,524	6·9 1·2
	382,198	13,918	51,850	229,771	660,883	250,756	1,589,376	273,151	5·8

¹ 50,388 "Hottentot" includes: Hottentots 42,891, Namaquas 70, Bushmen 5,296, and Korannas 2,131.

² 608,456 "Kafir and Bechuana" includes: Amaxosas 249,484, Tembus 184,754, Bacas 24,556, Pondomises 30,647, Xesibes 11,766, Bomvanas 11,638, Kafirs (unspecified) 8,694, Bechuanas 18,371, Basutos 39,583, Damaras 1,621, Pondos 7,229, Hlangwenis 8,627, and Zulus 11,486.

³ 247,806 "Mixed and Other" includes: Mixed 239,792, Indians 1,453, Mozambiques 1,858, Griquas 3,998, Briquas 268, Chinese 215, Malagasys 48, Negroes 51, Turks 36, Arabs 27, West Indians 15, Creoles 26, and others 19.

⁴ Of these 52,427 only 3,011 were included in the census, the remaining 49,416 being the estimated number of natives living in reserves see Blue Book for Native Affairs, 1899, p. 54).

TABLE B
POPULATION OF CAPE COLONY (INCLUDING PONDOLAND AND PORT ST. JOHN'S, AND GIVING THE POPULATIONS OF THESE AND THE OTHER TRANSKEIAN TERRITORIES, AS ESTIMATED IN THE MAGISTRATES' RETURNS IN THE BLUE BOOK ON NATIVE AFFAIRS, 1900)

	European or White.	Malay.	Hottentot.	Bantu.	Mixed.	Total.	Area in Sq. Miles.	Average Population per Sq. Mile.
Population from Census of 1891.	1. The Colony Proper .	13,097	44,030	335,636	226,784	956,485	191,857	4·9
	2. Griqualand West .	803	4,686	33,063	15,153	83,375	15,077	5·5
	3. Bechuanaland .	5,211	1,462	52,518	2,950	62,152	51,524	1·2
Population from Magistrates' Estimates for 1899.	4. Tembuland .	8,221	—	226,742	2,530	237,493	4,117	57·7
	5. Transkei .	1,695	—	180,700	460	182,855	2,552	71·7
	6. Griqualand East .	5,449	—	178,108	4,513	188,070	7,594	24·8
	7. Pondoland and Port St. John's .	1,100	—	204,126	1,030	206,256	4,000?	51·5?
	8. Walfish Bay .	40	650	100	20	810	430	1·9
		388,324	50,828 ¹	1,210,993	253,440	1,917,496	277,151	6·9

¹ In the Magistrates' Estimates Hottentots are included under "Mixed."

WESTERN & CENTRAL CAPE COLONY

BRITISH
BECHUANALAND

TRANSVAAL

ORANGE
RIVER

COLONY

MAP SHOWING DISTRIBUTION OF RACES IN WESTERN AND CENTRAL CAPE COLONY

The figures in squares, thus \square , show the White population per square mile in each district.

The figures in ovals, thus \bigcirc , show the Mixed and other population (including Hottentots, Malays, mixed and other) per square mile in each district.

The figures in diamonds, thus \diamond , show the Bantu population per square mile in each district.

The population has been taken from the census of 1891. The areas of the various districts have been taken from the Statistical Register (1898).

No figures are given where the population does not exceed '05 per square mile.

Owing to changes in the boundaries of the following districts since the census, it has been necessary to group them as follows, and to give the figures for the group instead of for the separate districts: (a) Britstown, Hopetown, Philipstown, Richmond, and Victoria West; (b) Calvinia, Carnarvon, and Kenhardt; (c) Clanwilliam, Van Rhynsdorp, and Namaqualand; (d) Cradock and Somerset East. There have also been changes in the areas of Albert, Hanover, Hay, Prieska, and the figures given in the map for the populations of these districts individually may therefore not be strictly accurate.

In the Transvaal and Orange River Colony the mixed population has not been distinguished from the Bantu.



It is well known that a large number of natives every year migrate south of the Zambesi. Owing to the absence of a system of registration of births and deaths and arrivals and departures, it is impossible to estimate how far the variation shown in the population of the Colony was due to emigration and immigration. In spite of these defects in the statistics, the following comparison of the population in 1891 with earlier returns is of interest:—

WHITES.				OTHERS.	
	Date.	Population.	Rate of Increase per cent.	Population.	Rate of Increase per cent.
The Colony Proper	1875	236,783	42'30	484,201	27'95 ¹
	1891	336,938		619,547	
Griqualand West	1877	<u>12,374</u>	139'78	32,903	63'22
	1891	29,670		53,705	
Griqualand East, Tembuland, Transkei, and Walfish Bay	1879	2,568	304'17	260,417	83'16
	1891	10,379		476,985	

The increase in the coloured and native population must be regarded as an established fact. It constitutes one of the most serious problems of the future.

From the report of the Director of the Census it appears that in nine divisions only of Cape Colony at

¹ The rate of increase among the various coloured and native races in the Colony proper was given as follows:—

	1875	1891	Rate of Increase per cent.
Malay	10,817	13,097	21'08
Fingo	73,506	83,277	13'29
Kafir and Bechuana. . .	214,133	252,359	17'85
Mixed and Other . . .	185,745	270,814	45'80

the date of this census the white population outnumbered the coloured. All of these divisions, with the exception of Port Elizabeth, were in the North-western, Midland and South-western Provinces. The highest percentage of whites was 56·23 in Piquetburg. In the remaining eighty-four divisions of the Colony the coloured and native races predominated; and in twenty-one of the eastern divisions and in Walfish Bay they formed over 90 per cent. of the total population.

Dividing the population into Urban and Rural, the following result is obtained :—


	URBAN.		RURAL.	
	Totals.	Percentage.	Totals.	Percentage.
European or White	155,462	48·58	221,525	18·35
Malay	13,159	4·11	748	·06
Hottentot	8,299	2·59	42,089	3·49
Fingo	7,597	2·37	222,083	18·40
Kafir and Bechuana	37,529	11·73	570,927	47·29
Mixed and Other	97,973	30·62	149,833	12·41
Totals	320,019	100·00	1,207,205	100·00

In point of density the Cape and Port Elizabeth districts head the list with 146·73 and 144·36 persons respectively to the square mile, while Calvinia was at the bottom with 0·52 persons to the square mile. There was a remarkably uniform distribution of population in Transkei and Tembuland (excluding the Xalanga district, in which there is a considerable white population). The average amount of land (including mountain and waste land) to each individual in Transkei was 5·02 morgen



MAP SHOWING DISTRIBUTION OF RACES IN EASTERN CAPE COLONY

The figures in squares, thus , show the White population per square mile in each district.

.. .. ovals, thus , show the Mixed and other population (including Hottentots, Malays, mixed and other) per square mile in each district.

. .. diamonds, thus , show the Bantu population per square mile in each district.

The figures for the population of Transkei, Tembuland, Griqualand East, and Pondoland, are based on the magistrates' estimates for 1899. In all other districts the population has been taken from the census for 1891. The areas of the districts have been taken from the Statistical Register (1898).

No figures are given where the population does not exceed 25 per square mile.

Owing to changes in the boundaries of the following districts since the census, it has been necessary to group them as follows, and to give the figures for the group instead of for the separate districts: (a) Glen Grey, Queenstown, and Wodehouse. (b) King William's Town and Victoria East. There have also been changes in the areas of Aliwal North, Stutterheim, Elliot, Xalanga, Butterworth, and Kentani, and the figures given in the map for the populations of these districts individually may therefore not be strictly accurate.



(about ten acres), and in Tembuland (excluding Xalanga) 5·48 morgen (about eleven acres).

Dealing next with the distribution of the various coloured races, an analysis of the figures shows that of the 13,907 Malays, 11,105 were in the Cape, 900 in the Port Elizabeth, and 792 in the Kimberley division, and nearly all were in urban districts.

The Hottentots were widely scattered over the Colony, but were most numerous in the divisions of Namaqualand and Clanwilliam.

In the North-western, South-western and Midland Provinces the mass of the population was of a mixed character, the offspring of colonists and indigenous races. In the South-eastern and North-eastern Provinces the Bantu element is large ; it becomes predominant in the Eastern Province, and it practically monopolises the Transkeian territories.

By far the most important of the Bantu tribes in Cape Colony are the Pondos, Amaxosas, and Tembus. The Pondos are to be found mainly in Pondoland, but the Amaxosas and Tembus are distributed over considerable portions of the Colony proper and the Transkeian territories. The Amaxosas, however, are still massed in large numbers in Transkei and Bomvanaland, and in the divisions of King William's Town and East London, and the Tembus in Tembuland and the divisions of Queens-town and Wodehouse. The Fingoes represent the broken tribes of Natal and Zululand, who found a refuge from their Bantu conquerors under British rule. They form nearly the entire population of Fingoland, and are distributed in large numbers over other parts of Transkei, Tembuland, the eastern divisions of the Colony proper, and Griqualand East. Of the remaining tribes, the Pandomises are chiefly to be found in the divisions of Qumbu, Tsolo, Engcobo, and Umtata ; the Bacas in

Mount Frere and Umzimkulu; the Xesibes in Matatiele; the Bomvanas in Elliotdale; the Bechuanas in Griqualand West; the Basutos at Kimberley and in districts adjoining Basutoland; the Hlangwenis in Umzimkulu; the Zulus at Kimberley and in Umzimkulu; and the Damaras in Namaqualand.

Bechuanaland and the Transkeian territories are virtually native reserves; and in these districts the native communities retain their tribal organisation, and to a large extent they still hold their lands on their old communal tenure. In the Eastern Province, and in some of the divisions on its western border, and in Griqualand West, extensive locations are set apart for natives. In these also the tribal organisation and holding of land still largely prevail. According to the returns in the Cape Blue Book on Native Affairs, 1900, the total number of natives living in locations on Crown lands in Cape Colony proper (excluding Bechuanaland and the Transkeian territories) was estimated at 135,300. In addition to these locations on Crown lands, a large number of small locations on private property are scattered throughout the Colony, the total estimated population of which is given in the Blue Book as 8,428.

(b) *Natal*

The population of the colony of Natal, according to recent estimates, is about 864,504, divided as follows:—

	Whites.	Natives.	Indians.	Total.	Area in Sq. Miles.	Average per Sq. Mile.
The Colony Proper	54,622	545,014	59,858	659,494	20,851	31·6
Zululand	1,305	203,705	—	205,010	10,456	19·6
	55,927	748,719	59,858	864,504	31,307	27·6



The above figures for the white population of the colony of Natal proper are those given for 1898 in the Statistical Year Book of the Colony of Natal. The estimate of the white population of Zululand is taken from the Departmental Reports of the colony for 1898. Owing to the dislike of the natives to the incidents of an accurate census, there are no detailed statistics with regard to the native population. The figures given above for the colony proper and Zululand are taken from the population estimates contained in the Natal Blue Book on Native Affairs, 1898.¹ In the case of the colony these estimates are usually made on the basis of 4'13647 persons to a hut, and in the case of Zululand on a basis of $3\frac{11}{38}$ persons to a hut. The number of Indians is taken from the Report of the Protector of Immigrants, and represents the estimated number in the colony on December 31st, 1898. It includes 38,792 free Indians and 21,066 indentured Indians.

The colony proper, which was almost depopulated during Tshaka's wars, has since been repeopled under British rule by large immigrations of Kafirs from the south and Zulus from the north.

A number of locations are provided for natives in various parts of the colony, the land reserved for this purpose (comprising 2,198,456 acres) being vested in a trust known as the Natal Native Trust, created under Letters Patent in 1864. In these locations, as in those of Cape Colony, the natives to a large extent retain their tribal organisation and modes of life. About half the native population of the colony proper lives on lands belonging to private persons; and these natives are also more or less under the authority of their chiefs.

The returns in the Blue Book for Native Affairs

¹ Pp. C.3.

show that the native population of the colony was, in 1898, distributed approximately as follows:—

Natives living on location lands	217,067
„ „ Crown lands	20,747
„ „ mission reserves	21,426
„ „ private lands	270,274
Floating native population in Durban and Pietermaritzburg .	15,500
Total	545,014

Comparing the figures given above with those of the census of 1891, a substantial increase is shown both in the white and the coloured population of the colony proper:—

Whites.		Natives.		Indians.	
In 1898 .	54,622	In 1898 .	545,014	In 1898 .	59,858
In 1891 .	46,788	In 1891 .	455,983	In 1891 .	41,142
Total increase	7,834		89,031		18,716
Increase per cent.	16·7		19·5		45·5

In the year 1879 the Europeans in Natal numbered 22,654, the Indians 16,999, and the Kafirs were estimated at 319,934. The coloured population of the colony has thus increased during the last twenty years by about two-thirds. Unfortunately, the statistics do not show how far this growth of population is due to natural increase. There seems reason to believe that immigration has largely contributed to it. The Indian population is kept up by constant immigration from Madras and Calcutta, the number of these immigrants during 1898 being 5,939.

Zululand is virtually a native territory inhabited by Zulus and Tongas, with a sprinkling of Basutos in the Nqutu district. The tribal organisation and tenure of land remain.

(c) *Basutoland*

In the report of the Resident Commissioner for 1898-9 the population is estimated as under:—

Europeans (from Census of 1891).	Estimated Number of Natives.	Total.	Area in Square Miles.	Average per Square Mile.
578	263,600	264,178	10,293	25·7

In the census of 1891 the number of natives was estimated at 218,324, and it would appear therefore that there has been a considerable increase. The question of over-population seems likely to arise. Basutoland is strictly reserved for the Basuto tribes. No trader is allowed in the country without a license.

(d) *The Bechuanaland Protectorate*

The native population of the Protectorate is estimated in *Noble's Official Handbook of the Cape* (1896) at 110,000 and the whites at 500. Probably these figures are now too small. With the materials available only a very rough estimate can be formed, but the following figures seem as correct as it is possible to give ¹:—

In Khama's country :

Bamangwato and subject tribes . . . 45,000

In Bathoen's country :

Bangwaketse . . . 15,000

Subject tribes . . . 5,000

— 20,000

In Sebele's country :

Bakwena . . . 12,000

In Lenchwe's country :

Bakhatla . . . 15,000

In Ikaneng's country :

Bamalete . . . 10,000

In the Ngami district :

Batauana . . . 20,000

Total . . . 122,000

¹ The figures for Bathoen's and Sebele's peoples are taken from the Rev. E. Lloyd's *Three Great African Chiefs*. The other figures have been furnished by trustworthy informants well acquainted with the Protectorate.

The native population consists of Bechuana tribes with a few Bushmen. The whole Protectorate is really a native reserve. Its area is estimated at about 213,000 square miles.

(e) *Southern Rhodesia*

The population was estimated in 1898 as follows:—

Europeans	.	.	.	.	.	.	.	13,346
Natives :								
Mashonaland	.	.	.	.	.	.	.	194,756
Matabeleland	.	.	.	.	.	.	.	113,499
								<hr/> 308,255
Total	.	.	.	.	.	.	.	<hr/><u>321,601</u> ¹

The area of Mashonaland is estimated at 114,000 square miles, and that of Matabeleland at 78,000 square miles.

Before the Matabele invasion most of the country was in the possession of three Bantu nations, the Makalakas, the Banyais, and the Mashonas. The Makalakas and Banyais (except in the extreme west and north-west) have now become subject to the Matabeles. Although severely handled by the invaders, the Mashonas have succeeded in retaining "a semblance of national coherence." In Eastern Mashonaland there is a settlement of Barotses, apparently driven south by the Matabeles; but they seem to be assimilating to the surrounding Mashonas, and they speak the Mashona dialect. Physically the Matabeles are the finest of these races. But they are losing the purity of their Zulu blood by admixture with subject races, and they are surpassed in agriculture and handicrafts by the more industrious Mashonas. Besides the Bantu races above mentioned, there are certain wandering tribes known as Ama-Zizi, who appear to be of Hottentot-Bushman origin.

¹ *Reports on the Administration of Rhodesia*, 1897-8, p. 284.

(f) The Orange River Colony

In the census of 1890 (which is said not to have been very accurate) the population of the Orange Free State was returned as follows :—

Europeans or Whites	.	.	.	.	.	77,716
Natives or Coloured	.	.	.	.	.	129,787
Total	.	.	.	.	.	<u>207,503</u>

The area of the Orange River Colony is estimated at 48,326 square miles, which gives an average of about 4·3 persons per square mile. The native population consists of a compact body of Baralongs (who live in large locations specially provided for them), and a mixture of Korannas, Basutos, and Bechuanas of many tribes. Most of the latter are detribalised natives who have migrated into the country since the establishment of the Republic in 1854, who are scattered over all parts of the State and are living under white masters. Both the white and native populations show a decided tendency to increase, the latter with more rapidity than the former, as will be seen from the following comparison between the estimated population in 1880 and 1890 respectively :—

	1880.	1890.	Increase.	Percentage.
Whites .	61,000	78,000	17,000	27·9
Natives .	72,000	130,000	58,000	80·6
Totals .	133,000	208,000	75,000 ¹	56·4

(g) The Transvaal

In *The State Almanac* for 1898 the populations of the Transvaal and Swaziland are given as follows :—

	Whites.	Natives.
Transvaal . . .	245,397	748,759
Swaziland . . .	900 to 1,200	40,000 to 50,000

¹ These figures are taken from A. H. Keane's *Africa*, vol. ii. p. 312.

These figures for the native population are probably, however, only very rough estimates.

The area of the Transvaal is estimated at 119,139 square miles, and that of Swaziland at 8,500 square miles.

The Transvaal natives are nearly all Bechuanas, and (according to the figures given in *The State Almanac*) about one-half of them are to be found in the Zoutpansberg district. In this district and in some other parts they have retained their tribal organisation; but many have entered the employment of the whites on farms or in the towns and at mining centres, and have now become detribalised.

SUMMARY OF POPULATION OF BRITISH SOUTH AFRICA

	Area in Sq. Miles.	POPULATION.		
		Whites.	Coloured.	Total.
Cape Colony	277,151	388,324	1,529,172	1,917,496
Natal	31,307	55,927	808,577	864,504
Basutoland	10,293	578	263,600	264,178
Bechuanaland Protec- torate	213,000	?	122,000	122,000
Southern Rhodesia .	192,000	13,346	308,255	321,601
Orange River Colony .	48,326	77,716	129,787	207,503
Transvaal (including Swaziland) (about) .	127,639	246,897	794,000	1,040,897
Totals	899,716	782,788	3,955,391	4,738,179

NOTE.—The distribution of the different races in Cape Colony and Natal is shown in the sketch map.

CHAPTER II

NATIVE LAWS AND CUSTOMS

THE natives of South Africa from Cape Colony to the Limpopo River live, generally speaking, under the same form of tribal institutions. Though there are many variations of detail in the customs of certain tribes, there is, on the whole, great similarity in their tribal system. The Bantu tribes have not occupied very long their present territories. They have gradually dispossessed or killed off the older inhabitants—the Bushmen and the Hottentots—who now, except in the west of Cape Colony and in the north-west of British territory, only survive in so small and scattered units that they may be disregarded in an account of the tribal institutions of the South African natives. No one is more conscious of their foreign origin than the Kafirs themselves. Travelling through the country in 1838–40, Mr. Backhouse was informed that Kafirs, when out hunting, on finding that a Bushman was already on the track of their quarry, would abandon the chase, in recognition of the rights of the original inhabitant of the soil. The Kafirs also, as a rule, bury their dead facing in such a direction as to look back, they suppose, towards the region of their origin.

Nor have the last fifty years helped to consolidate their settlement. They have been years of migration and general restlessness. Not only have boundaries been readjusted over and over again, but tribes have been shifted hither and thither, and broken up sometimes into disintegrated groups. The result of this continuous period of change has been both good and bad. It has

been good in the sense that the natives, naturally conservative and tenacious of most of their ancestral customs, are yet much more ready to welcome legislation likely to lead to the improvement of their condition, than if they could draw a so-to-speak territorial support to their conservatism from permanent residence on the soil, surrounded by the tombs of their ancestors and holy spots sanctified by immemorial rites and ceremonies.¹ A bad result of the prolonged state of unrest and the possibility of speedy migration has been that the natives are led to think they have an ever ready means of getting out of difficulties and of evading responsibilities imposed by British rule. A suspicion has grown up in their minds that every new regulation or tax of which they do not at once see the benefit, is a hidden attempt to get possession of their land or cattle. Good or bad, the present condition of the South African native is complicated by the fact that there is no cohesion *inter se* amongst the various tribes, each district presenting a different degree of detribalisation, in proportion as they have given way more or less to the influence of the neighbouring white population. Their institutions thus vary, from what may be called the Tribal System proper—such as prevails amongst the Eastern Zulus, the Bechuanas, and the Basutos, etc.—to the latest development of the Colonial Location System with increasing local self-government and individual tenures.

In every case, however, whatever changes have taken place under British rule since the annexation of each district, they have invariably in the first instance been grafted upon the existing system of native government within the tribe.

¹ "When the head of a kraal dies, all the huts occupied by his family are abandoned and new ones erected" (*Cape Blue Book*, 1896, Report on the Working of the Glen Grey Act).

(a) *The Kafir Tribal System*

The centre and representative of every tribe is the chief, and where a district is inhabited by several tribes of one race, there is one who is paramount chief over all the others.¹ He is at once the father and, in a last resort, the guardian of all the members of his tribe. As the father is to the family, so is the chief to the tribe. All the land in the occupation of his tribe is vested in him in trust for his people, and reverts to him on failure of the family of any individual occupier. Each member of the tribe owes him personal allegiance and is his "man," receiving in return for his allegiance a recognition of his right of maintenance from the land of the tribe, and owing on his side an indefinite amount of service, when called upon, in the interests of the chief or the tribe. Whoever is accepted by the chief, he is *ipso facto* a member of the tribe and must be allotted his place. It is said that "blood" belongs to the chief; so that, if murder is committed in the tribe, it is the chief, not the nearest relations, to whom compensation is due for the loss of a man.² He is thus

¹ *Les Ba-Ronga*, par H. A. Junod (Neuchâtel, 1898), p. 125 : "Chez les Ba-Ronga, comme d'ailleurs au sein de la plupart des tribus bantou, la royauté est, depuis bien des siècles, le centre de la vie nationale. C'est par le chef que la tribu prend conscience de son unité. Sans lui, elle est désorientée, décapitée ! La conception républicaine est aussi éloignée qu'il est possible des idées, des instincts de ces peuples."

² *Report of Native Laws and Customs Commission, Cape of Good Hope*, 1883, Minutes of Evidence : Q. 62-4 (Sir T. Shepstone). Murder and cattle theft are crimes against the chief. Ordinary thefts are often compounded for between individuals. A thief caught red-handed is often killed ; but where "spooring" has taken place, the case is brought to the chief. Q. 72-7. Life for a life is not demanded ; never after a period has elapsed. Fines are paid to the chief for loss of a man murdered. Q. 7091 (Tembuland). "No one but the chief can settle such cases, for the blood belongs to the chief." Q. 8097-8 (Tembus, Fingoes, and Gcalekas). If the chief is wronged, fines are divided among councillors, for no man can "eat his own blood." Q. 7150 (Pondoland). There is a public messenger, or

the arbitrator in all serious disputes and receives all fines, merely allotting to the aggrieved party or his family any small portion he may wish. He is also the final legislator for his people, and sanctions all changes made in the traditional usages of the tribe. But as a tyrant, history shows, he also is liable to the ultimate appeal against all tyrants—the assassin's knife. The regard paid by the chief to the opinion of the highest of his subjects varies in different districts.¹ In most tribes there is a council of petty chieftains or headmen of tribal subdivisions, who have considerable powers in criticising the judgments of the chief, in restraining his actions, and even interfering between him and his people and, if necessary, reversing his decisions. In such cases they are no doubt careful to act with unanimity, and they usually show great tact in their treatment of disputes.

There is generally a chief councillor, who has special influence with the chief, whose knowledge of ancestral custom would be undisputed, and whose kraal is a place of sanctuary, even against the chief, for anyone in fear of sheriff, who collects fines for the chief. He carries with him, as symbol of his office, a tiger's tail. Cf. *Q.* 7771. *Q.* 7627. The owner of the cattle picks out those with which he will pay the fine and hands them to the messenger.

¹ *Native Customs Commission*, 1883: *Q.* 7090. "Among the Tembus the great chiefs made the laws; but when they did so they called together the petty chiefs, and after consultation the laws were adopted, and made known to the people. The chiefs would sometimes take a suggestion from the councillors and adopt it, but the common people had no right to say anything about it. They could only express an opinion through the councillors. The law once made applied to all classes without distinction." Cf. *Q.* 7599–602. *Q.* 51–3 (Sir T. Shepstone). Old men are the repository of oral tradition, and decide questions of existing law. Failing them, the chief and his councillors state what the law is. *Q.* 48 (Sir T. Shepstone). The headmen being at the chief's kraal for the annual dances, or so forth, he explains to them the new law, a discussion takes place, and it is modified or accepted. Among the Zulus, the king having a standing army, his wish is almost final, but he is obliged to conciliate somehow or other the opinions of his people.

persecution or injustice. He will take the matter up, demand reasons of the chief for "eating the man up," and if the chief's conduct is not justified, the councillors and people will compel him to return the cattle taken.¹ Cases of serious crime are at once brought before the chief and his councillors, the chief usually allowing the councillors thoroughly to discuss the evidence and make their own decisions on the case, either in his presence or not, before himself delivering judgment.² These councillors are sometimes relations—sons, brothers, uncles—of the chief whom he has set up over subdivisions of his realm; more generally they are hereditary subchieftains and heads of their several districts.³

Under these, in the tribal hierarchy, are heads of villages or smaller districts of scattered kraals, and below these again are the heads of families responsible for the good behaviour of the individual members of their kraals. Obviously we

¹ *Native Customs Commission*, 1883: Q. 264. "The chief induna, or prime minister, in every case represents the chief, and in almost every tribe there is a man occupying the position of prime minister." Q. 1247-9 (Gaikas). Q. 1207-8. The life of an offender taking refuge at chief councillor's kraal is safe, and he knows that the matter will then be adjusted by fine.

² See note ², p. 23. Junod, *Les Ba-Ronga*, pp. 156-7: The cases brought directly before the chief are: adultery, wounds, murder, quarrels with foreigners, thefts denied.

³ Junod, *Les Ba-Ronga*, p. 150: The councillors are of several sorts:—(a) Principal councillors; probably uncles of the chief and his older collaterals, who discuss and decide on all important public questions. (b) Military councillors; generals and commanders in war. (c) Councillors for foreign affairs; these arrange royal marriages, and influence the chief on intertribal questions. (d) Subchiefs, set over various districts, who report to the chief and bring up cases of importance and assist in giving judgment on appeals. *Id.*, p. 139: They are subject to the chief, and report their actions to him for ratification—a dangerous system, as younger members of a chief's family in many instances have revolted from him. *Native Customs Commission*, 1883: Q. 44-5 and Q. 241-2. Councillors or headmen are limited by the sections of the people. "They are, as a rule, the heads of the leading families of the separate divisions of the tribe." They are mostly hereditary. They need not all be present.

have here a very complete system of responsible government.¹ The individual reports every event to the head of his kraal, who is probably the head of his family.² If it is a matter he is competent to deal with, the head of the kraal settles the dispute and reports the result to the head of the district. Failing immediate settlement, he reports the case to the same quarter for decision; and so a succession of reports are made, or, if the decision happens to give dissatisfaction, appeals are made by the aggrieved party through the various stages right up to the chief.³ Serious crimes, such as murder, adultery, theft denied, are referred, as already stated, direct to the chief for judgment. Failure to report, or failure to administer justice, is in every stage punishable by a fine. So, too, inversely there is a collective responsibility for

¹ *Native Customs Commission*, 1883: Q. 3842 (Fingoes). "The father of a family administers law and exercises authority within that family. The head of a village rules that place, and allots the land occupied by the families there; and the chief rules the tribe and looks after its interests. But the father must consult the family, and the head of the village must consult the men there, and the chief must consult his councillors." Q. 66. In many tribes the village would have to make good a theft where the thief had not means of payment. Q. 7609 (Tembus). If a murderer had nothing to pay a fine with, he would be driven away, unless he had friends who could pay the blood money. They would not have to pay "very heavily." Q. 7698. The young man would be taken to the chief, "he is your man, nobody will pay for him, he has nothing." Then perhaps he would be driven away. Q. 1243 (Gaikas). If he had nothing, his brothers or relatives would pay.

² Q. 83. Every man is a policeman, and is bound to report everything to his superior; by reporting, he rids himself of responsibility. Q. 139. The same rule exists in Natal. The omission in any grade to report involves blame or punishment.

³ Q. 2418-9 (Gaikas and Gcalekas). "There is nothing more acceptable to the Kafir than the chief and his court; the poorest Kafir can bring before his chief even such a trifling matter as the theft of eggs, and that is almost a proverb amongst them." The chief is "always accessible and very patient." Q. 2674 (*id.*). "They have a way of arriving at a decision by discussing the question and hearing all the merits of the case. They ascertain the general feeling without taking a formal vote."

every crime committed. Some cattle have been stolen, and their "spoor" has been traced to the boundaries of a certain district, and there is evidence of the cattle having been received. The headman of that district is responsible until he has traced the stolen cattle to a village of his district. The headman of the village must then pursue the theft to a particular kraal, the head of a family being responsible for the crimes of its members.¹

Individuals look upon the head of their family as their immediate chieftain; they do for him whatever work in reason he may demand.² The younger brother, even when he has married and established a separate kraal for his family, is still considered the servant of his elder brother in everything that concerns the defence or maintenance of his kraal.³ There again, however, the auto-

¹ *Native Customs Commission*, 1883: Q. 7092 (Tembus). On cattle being traced to a kraal and evidence (such as meat, or circumstantial evidence) being found, the owner of the kraal is declared guilty and must pay. Q. 7634-7. Men in kraals can clear themselves by fixing guilt on one person. Tribe is responsible to tribe for cattle thefts across the boundaries. Headmen will apportion payment among members of kraals. Q. 143. But it will result that those who have property will pay.

² Junod, *Les Ba-Ronga*, p. 118: "Le chef du village a le droit d'imposer des corvées aux membres de son village, mais l'obéissance n'est pas absolument obligatoire." If his demands are beyond reason, they will be refused; and he is expected to regale the members of his kindred who work for him. *Native Customs Commission*, 1883: Q. 150 (Sir T. Shepstone). There is no law between master and servant. "The inferior is under a general obligation to help the superior." Q. 784 (*id.*). The eldest son takes the place of his father and calls upon his brothers, etc., "to do the sort of work required of men, such as helping to make the kraals, or going out to defend the family or the chief." Cf. also Q. 1065.

³ Q. 783-5 (Sir T. Shepstone). "Wherever he may go he is looked upon as a servant of the elder brother." If they earn anything it belongs to them, "but the earnings of boys are considered to belong to their fathers." Q. 1513 (Tembus). A son brings his cattle to his father's kraal, who uses them. Q. 1522-3. But the chief puts his sons out on kraals by themselves to work at land and cattle for him.

cratic powers of the ruler are tempered and kept in check by the acknowledged right of the subordinate members of criticism, or even of revolt, against unreasonable demands. Every dispute, if within his powers, is first referred to him for settlement; and, like the chief and his councillors, he would take care to act, if possible, in concert with the most influential of the relations.¹

The attainment of man's estate socially takes place only on marriage, and each succeeding wife is thought to add dignity and efficiency to the establishment. No marriages are allowed within known blood relationship. It is considered necessary to the completion of the contract and to the confirmation of the marriage for a few head of cattle (varying in number with the importance of the match) to be given by the bridegroom to the bride's father.² There are, therefore, a great many young men kept waiting for the means to marry. A still larger number of husbands find themselves restricted

¹ Junod, *Les Ba-Ronga*, pp. 120-1 and p. 58: The council of kinsmen can depose the head of the family, if he is incapable of governing their affairs to mutual advantage. "Partout, chez les Ba-Ronga, nous trouvons ainsi l'absolutisme tempéré par des institutions qui le tiennent en échec."

² *Native Customs Commission*, 1883: Q. 469-73 (Sir T. Shepstone). *Ukulobola*: the cattle represent the loss of a daughter in her father's house. She is also frequently accompanied by gifts of cattle, etc., from her father. But these are not dowry. Something must pass between the parties to make the contract lawful. In times of scarcity or distress a basket of corn has been considered sufficient. Q. 596. Hoes of native manufacture, or indeed anything, can be paid. Cf. Junod, *Les Ba-Ronga*, pp. 87 *et seq.* Junod, *Les Ba-Ronga*, p. 40: If the payment is not completed, the first-born daughter goes to the wife's family to replace her in her father's house. Q. 483-4. Women cherish the custom very much. They think it shows respect for them. Q. 7745 (Tembus and Fingoes). On marriage of a granddaughter her *lobola* cattle are divided between her grandfather and father. The grandfather will let his son (her father) have most of the cattle received for his first daughter's marriage. Q. 1949 (Gaikas). "As far as we can trace back blood relations, so far is no man allowed to marry."

to one wife by the poverty of their resources.¹ Polygamy, however, is recognised as the natural basis of the family system, and a wife will often urge her husband to take another wife, who will enrich him by her labour and, as they say, add "rafters" to his house.

Where there are several wives, it is usual to divide the households into three groups or grades—the house of the "right hand" wife, the "great" wife, and the "left hand" wife—the husband stating on each remarriage to which "house" he is adding "rafters." The new wife takes the subordinate place due to a "rafter"-bearer under the original wife of the house, and her offspring, with the fruits of their and her labour, belong exclusively to that house.² The wife's father having been compensated by the gift of cattle for the loss of her valuable services, her worth having, in her opinion, thus been recognised, and herself raised by this gift of cattle in her own eyes from the ignominious position of a mere "*cat*" in her husband's house, she devotes her energies to provide for her husband's needs, by keeping his pot boiling and his garden tilled.³ Her children belong to her husband

¹ *Native Customs Commission*, 1883: Q. 523 (Sir T. Shepstone). "I think it may be taken for granted that in most tribes the majority of men have only one wife." Q. 559. "That is because they have not the means of having more." Q. 7096 (Tembus). "We are not limited by anything but our want of cattle." Cf. Q. 7713. Q. 779. The eldest son is supposed to help his younger brothers with cattle for *one* wife each.

² Q. 539 (Sir T. Shepstone). "Women are proud to work for him and for their children, and of their position as wives among a number." Q. 1504-5 (Gaikas). Wives often ask their husbands to add wives to their houses to help in providing for the family, or to add support and dignity to the succession. Q. 7280. Later wives are subject to the first wives. But the first wife sometimes goes and lives at her son's kraal in a position of dignity. Q. 1954-61 (Gaikas). A man would consult with his relations as to the division of his family and arrangement of his wives in houses. He can add more "rafters" to one than to another. The "great" wife could not make the others work if she sat idle.

³ Q. 5479 (Fingoes). "Where *ukulobola* has not been paid, a man can turn round on his wife and say, 'You are only a cat; I

without question. She herself always retains the right of demanding shelter and maintenance with her father or her nearest kinsman in case of separation from her husband, more especially, it would appear, because they have benefited by the cows given for her at her marriage.¹ Should it be by her own fault that she cannot remain with her husband, and should she leave no children of hers in his house, he will claim back from her parent the cattle he gave for her.²

On the death of the husband, the family still holds together under the headship of the eldest son of the "great" house,³ and the widows are either taken over by the uncles or relatives of the heir in order to "raise up seed" to their deceased relative,⁴ or return to their own kindred with the purpose of making new marriages. Unless the widow returns to her own kindred and is remarried, her children belong to her deceased husband's house.⁵

The rules of inheritance must, of course, be regulated did not pay for you.' A cat is the only living animal which we natives never buy, and cats are passed among ourselves as presents."

¹ *Native Customs Commission*, 1883: Q. 482-3 (Sir T. Shepstone). "The father is always supposed to be her refuge, and in some tribes the father never loosens his control over her, even after she is married." The cattle given for her are also looked upon as a fund for her benefit, if required.

² Q. 481. If she dies or leaves her husband without issue, the cattle go back to him. Cf. Q. 1979.

³ Q. 1979 (Gaikas). Some widows go, some remain. If they go, the heir will perhaps claim back the cattle given for them. If they stay, they are treated by the eldest son of their house as his mothers. Q. 2039-40. The heirs have no power of disposing of them. If they marry again, it must be from their own father's house. Cf. Q. 7097 (Tembus).

⁴ Q. 617-20 (Sir T. Shepstone). This custom is very prevalent. It closely resembles the Levirate of the Jews.

⁵ Q. 587. Children born to a remarriage go to the first husband's family, unless it has been dissolved by death or divorce ordered by chief.

in accordance with the polygamous organisation of the family, but in the case of the chief they differ somewhat from those followed by the common tribesman. It is a Kafir maxim that a chief must not see his son's heir—*i.e.* his own grandson.¹ This is only another way of stating the rule which seems to have governed the succession to the throne of the Ptolemies in Egypt—namely, that the heir to the throne must have been born “in the purple,” that is to say, after his father had succeeded to the kingship. Consequently the wives of the heir-apparent married before his accession and forming his “right hand” house cannot provide him with the heir to the throne.

Some time, therefore, after his accession he summons his councillors and naïvely inquires (he may have a score of wives already) how a man without a wife can give them any entertainment. After this intimation they proceed in due course to recommend the daughter of some neighbouring chief as suitable for the future “great” wife, who shall provide an heir to the chieftainship. It is customary also for the tribe to subscribe towards the probably large number of cattle to be given to the bride's father in ratification of so important a marriage contract.² Future wives will, according to the chief's declaration at the time, go either as “rafter”-bearers in support of the “great” house or to form a “left hand” house, whilst the “right hand” house may also be further augmented. The eldest son of the “great” wife, however, remains heir to the chieftainship, which would in like manner pass to the son of *his* great wife. Failing a son to the “great” wife, the succession passes to a “rafter,” to the eldest

¹ Junod, *Les Ba-Ronga*, p. 127 : “Il y a un adage du droit royal qui dit : Un chef ne doit jamais voir son petit-fils.” The Ba-Ngoni (in the Gaza) have the same rule, but carry it out by recognising the son of a younger son of the chief (and so born after his death) as the heir.

² *Id.*, p. 133.

son of the next wife of that house. Failing an heir altogether in the "great" house, the sons of the "left hand" house must be exhausted before recourse is had to those of the "right hand" house. A son of the "left hand" house would, as a general rule, in the lifetime of his father be adopted into the childless great house and publicly recognised as the heir-apparent.¹

Among common tribesmen, on the other hand, the *first* wife is nearly always the "great" wife.² Where the number of wives is sufficient to allow of subdivision into "houses," the next house in rank to the "great" house is the "right hand" house, and the sons of this house will have priority in inheritance over those of the "left hand" house.³

Though in certain cases women can own cattle or other property, they can never inherit, nor can inheritance pass through them.⁴ When a man dies without sons or son's sons, his next eldest brother succeeds, and so on to his nearest male relative. If a male heir (related through males) cannot be found, inheritance passes to the chief,

¹ *Native Customs Commission*, 1883: Q. 786-8 (Sir T. Shepstone) and 801. The chief frequently delays selecting the wife who is to bear the heir until late in life, sometimes dies before doing it. Then the councillors have to decide. Sometimes it is a new wife, and then the tribe subscribes; sometimes it is one of the existing wives. The first wife is never the "great" wife. "But she has special rights attached to her seniority. Her eldest son has a fixed rank which no other son can interfere with, and he usually becomes the regent. He cannot inherit the chieftainship, unless the male issue of all the other houses have been exhausted." These rules were adopted in the regulations issued under Law I of 1869. The eldest son of the "right hand" house can never be the universal heir, but he is "guardian of the heir"; he is the "great executive officer of the family."

² Q. 626-7. Among common people the first wife is the "great" wife. Her eldest son is heir; she is mistress of the establishment. Cf. Q. 6148-9 and 7724-5 (Tembus).

³ Q. 788. A child would be transferred to a childless "great" house from the "right hand" house, which would rank above the "left hand" house. Cf. Q. 828.

⁴ Q. 792 and 797.

with guardianship of any daughters there may be, carrying with it the right to receive the cattle given for them at their marriage.¹

The heir to the "great" house succeeds to his father's land and to his place amongst his kindred; is guardian of his father's widows as long as they remain with him; and receives the marriage cattle for those of their daughters who belong to his own house. The cattle given for his other half-sisters belong to the heirs of the houses to which they respectively belong.²

The father of a family makes no will, but during his lifetime he allots amongst his houses for their maintenance individual cattle from time to time, which shall belong with their several increase to each house, and which, on his death, will pass to the eldest son of that particular house. All property not thus specially allotted will fall to the "great" heir as general heir and residuary legatee, along with the headship of the family and the right of occupation of the land.³ These allotments by the husband

¹ *Native Customs Commission*, 1883: Q. 7097, 7726, and 791. Junod, *Les Ba-Ronga*, p. 121: It is a great blow to a family if there is no heir. Some tribes have one more string to their bow in their *sister's son*, whom they may adopt.

² Q. 822 and 902. He succeeds to land as well as cattle. Q. 784. He steps in and assumes the management. Junod, *Les Ba-Ronga*, p. 58: But he can be deposed by his uncles, etc., who form a sort of council of appeal, if he does wrong. Q. 1972-6 (Gaikas). The heir of one house wishing to marry his sister to somebody would report the matter to the "great" heir. Q. 779 (Sir T. Shepstone). The "great" heir is in position of father to his brothers and family. Q. 797. When a girl is married, her marriage cattle go to *her* house. Q. 794. The "great" heir is bound to support his sisters, and is general guardian over them, if they have no whole-brothers.

³ Q. 777. The son of the "great" wife is universal heir. The eldest son of each house inherits in his house. Otherwise second sons have no rights beyond maintenance and marriage cattle for one wife. Q. 1963-5. Apportionment of cattle to the houses is done with the approval of the "great" heir and with knowledge of the kin, who act as witnesses. Q. 903-4. Sometimes the land is allotted amongst the several houses.

are all revocable by him in case of necessity,¹ and, if it is found after a man's death that the disposition of his property, either by unfair or insufficient partition, is very unjust or unreasonable, a redivision may take place under supervision of the rest of the kindred,² with power of appeal to the chief in case of disagreement. A woman may receive cattle or other property (not land) as a gift from her father or another, and this with its increase belongs to her as against her husband during her life, though the general produce of her labours goes into her husband's estate.³

Property is mostly in cattle, but some tribes are more agricultural than others.⁴ The land is vested in the chief as trustee for his people, who divides it (in the first instance) in districts, under the heads of the sections of his tribe, they in their turn allotting it to the several heads of villages or kraals.⁵ Thus the only property in land that a man can die possessed of is the right of occupation within a certain area of as much as his wives can cultivate for him, with the right to build kraals on

¹ *Native Customs Commission*, 1883: Q. 1971 (Tembus). If the head is fined, he draws the cattle proportionately from his various houses.

² Q. 3051-4 (Fingoes and Gaikas). If the property is left unfairly, claims will be made on the chief heir by the others for maintenance, which means reallocation.

³ Q. 775 and 338. They can also, by their industry, earn property, and are allowed to keep it.

⁴ Junod, *Les Ba-Ronga*, p. 198: The Ba-Ronga are more agricultural and have fewer cattle than the Zulus or Basutos. *Native Customs Commission*, 1883: Q. 771. Property is mostly cattle. Q. 3840. Fingoes are agricultural, Kafirs pastoral.

⁵ Junod, *Les Ba-Ronga*, p. 186: "En droit, le sol appartient tout entier au chef. Mais il n'est à lui que pour pouvoir appartenir à tout le monde. Personne n'achète le terrain. . . . Le seul fait de *Kondza*, c'est à dire de se déclarer le sujet du chef, donne à un indigène le droit d'obtenir tout le sol dont il a besoin pour sa subsistance." *Native Customs Commission*, 1883: Q. 318. No individual real property; only right of occupation. Q. 776. The father holds land as head of the kraal. Q. 820-2 and 878. Rights of occupation pass to the heir.

it and to hand it down undisturbed to his son or heir.¹ When the head of a kraal dies, all the huts occupied by his family are abandoned and new ones erected.² Should he relinquish the land for a time, this right of occupation within his allotment prevails on his return, but it would revert to the community on evidence of permanent desertion. On relinquishing his lots he can obtain no valuation for the land, nor can he transfer or sell it.³

All uncultivated land is common for pasturage to all tribesmen, without restriction of the number of cattle each places upon it,⁴ neighbouring cultivators being generally responsible for the protection of their crops by day and the owners of the cattle for their retention from trespass by night.

The cultivated land mostly takes the form of garden plots, which are cultivated by the women. The elder children look after the younger, and the men, when not on military service with the chief, look after the cattle, build or repair the kraals, and generally supervise matters. Neither manure nor irrigation is used, and when a plot of ground has been tilled for three or four years in succession,

¹ *Native Customs Commission*, 1883: Q. 2048 (Gaikas). A man "could plough as much land as ever he liked" round his kraal. Q. 902. It would be taken on by his son.

² *Cape Blue Book*, 1896, Report on the Working of the Glen Grey Act.

³ Q. 897-900. In a man's absence a friend may occupy land for him. The headman could drive him away, but he could appeal to the chief. If he removed to so great a distance that he could not use the land, non-user would cancel his right of occupation. Q. 909 and 7099 (Tembus). It would, on evidence of desertion, revert to the headman. Q. 908. Land is never sold or exchanged for cattle.

⁴ Q. 891 (Sir T. Shepstone). Members of a kraal pasturing in common will often try and reserve a certain area of pasture-land for themselves. Q. 3682 (Fingoes). No limit as to the number of head a man may pasture. Q. 6575 (Tembus). "I have herded as many as two hundred head without the slightest complaint."

it is allowed to lie fallow for a time, whilst another piece is brought under the hoe. As thus carried out, the system of cultivation is only adapted for thinly populated districts, or where, at any rate, there is a redundancy of common pasture-land or unreclaimed bush-land.

Chiefs have been glad hitherto to accept the adhesion of newcomers to the tribe. Once admitted by the chief, the new tribesman is handed over to one of the subchiefs or headmen, who will designate a certain area within which it shall be lawful for him to build a kraal and reclaim sufficient land from the waste to support his family. His cattle thenceforth may graze on the uncultivated common lands of the district. There is usually no taxation of lands or goods, and no demand is made by the chief by way of rent or return for the right of occupation. Every tribesman, however, is liable for military service when called upon, and will be expected to do such "manly" work as to build kraals for the chief and occasionally to give him gifts of cattle. These cattle are often not removed to the chief's kraal, being left scattered about amongst the cattle of the givers. But it will be clearly known that such and such cattle and their increase belong to the chief, just as it is known that some cattle in the kraal belong to one "house," and some to the others.¹

¹ *Native Customs Commission*, 1883: Q. 7100 (Tembus). "A man goes to the head chief and applies for a place to settle. He sends him to a petty chief, who allots him a place in the section occupied by himself. The man does not give the chief anything for this, but he has to work for the chief when called upon without reward, and generally to obey his wishes." Cf. Q. 3620. Q. 1010-2 (Sir T. Shepstone). There is no rent or service *in return for occupation of land*, but duties to the chief arising from *personal* relation to him. Junod, *Les Ba-Ronga*, p. 140-1: Skins of tigers, etc., go to the chief. The best cuts off a pig or an ox are sent to the chief. Jars of wine, baskets of grain, are sent to him from time to time. Corvées are frequent for the chief's harvest, etc. Q. 2471 (Gaikas). Most of the chief's cattle is distributed amongst the tribe to keep for

It will be seen that, to carry out these rules in practice, the native must have attained to a state of considerable fidelity as between members of the tribe. Surprise must not be felt if, following the instincts of tribal morality all the world over, the Kafir sometimes fails to extend at once the same fidelity to white strangers and non-tribesmen. In matters of trust—often tacit—fidelity is shown amongst themselves which would be remarkable where written contracts were in force. A loan or debt descends from father to son until it is paid; and, as there are no recognised modes of liquidating bankruptcy, it is possible for an heir to succeed to liabilities to a larger amount than the whole of the assets of his inheritance. Such cases, if a creditor pressed for payment, would probably be met by an appeal to the kindred, or even to the chief, with a view to obtaining help towards the discharge of the debt.

(b) Zulu Tribal Customs

Though the foregoing account may be generally true for the Zulu tribal customs, yet the Zulu constitution differs from that of their neighbours. It has become much more military in form. The Zulu chiefs have been much more arbitrary and autocratic in their dealings with their people than is usual in other tribes. The young tribesmen are organised into regiments, and live for a certain length of time in the immediate service of the king. At his good pleasure he ordains that such and such a regiment of young men shall be promoted to be "men," and now for the first time be allowed to marry and set the ring

him. *Q.* 2650. When a gift of cattle is made to the chief, they are often left on the kraal of the giver, all members of the kraal knowing henceforth that such and such cows in their herd belong to the chief when he calls for them. *Q.* 7608 (Tembus and Fingoes). Cattle for fines are not driven to the chief's kraals, but handed over to the councillors to keep for him.

of manhood on their heads. Paternal authority seems to be correspondingly arbitrarily exercised, and girls are forced by their fathers to marry the husbands chosen for them. Public feeling makes all young men soldiers, and the fear of being called a "buttonquail" renders definite compulsion an unknown thing. The king's cattle are "all over the country," and when a regiment is formed, the king allots cattle to the regiment to keep and rear. The young soldiers build military kraals for him; at certain times they go up in parties and sow, planting and reaping in his gardens, clearing bush, making baskets and buckets, and doing all the "manly" work incident to the royal establishments. The old regiments do work for the king only near their own kraals; the young ones are sent about anywhere. No one is paid for anything, but they may receive gifts from the king. When he gives a man cattle, he says to him, "You can use these cattle, but now and then I will ask for one back."

The subchieftainships are not altogether hereditary. The successor to a subchieftain receives the inheritance and rank due to his birth, but not the office held by his father, unless his ability has been proved to the satisfaction of the other councillors. Judgments by headmen of districts are reported to the chief. If an unlawful decision is given, the headman is fined. False witnesses, when found out, are fined. "There is no man in Zululand," said Cetywayo, "who does not know the law," and "it has never happened" that it should be disputed. A murderer or cattle thief caught red-handed can be slain on the spot; but if there is any delay in this execution, the punishment will be by judgment and fines. After a man's death "all his property really belongs to his chief son," but the father provided for the others, and this the chief son will carry out.

Though the father is arbitrary in his choice of a

husband for his daughter, she will not go until the cattle have been duly paid for her. If she afterwards runs away from her husband, she must face the consequences in her father's house, no one else having any authority in the matter. It was Cetywayo's opinion that one wife was not enough to keep a man, and he therefore liked to have a large family round him to enrich his household with their labours.¹

(c) *Tribal Customs of Basutoland*

There is a decidedly democratic tone in the customs and laws of Basutoland. There is more individual freedom of speech at an assembly; and the power of the head of the family is to some extent merged in the common interests of the kindred. Fines for murder go to the dead man's kindred, one or two head only being given to the chief, in order that he may "drink the blood of his subjects." Fines for assault are apportioned in accordance with rank and the injuries inflicted, and are received by the injured party or his parents. The wife is protected by her kindred. Her children belong to her husband, but, if she dies childless, he cannot recover the cattle he gave for her; he would probably receive her sister in marriage "at a cheap rate."

If the husband dies, his brother must "raise up seed" to him, or apportion his widows to some other for the purpose. As in so many tribal communities, the maternal uncle is in a peculiar position of relationship, and receives a share of the cattle given for his niece. He is expected to care for her and to give her anything she may need. Among the natives round Delagoa Bay great respect is held for the mother's brother, and, inversely, the sister's son is looked upon always as a possible heir.

¹ See Cetywayo's evidence given in the *Native Customs Commission Report* of 1883.

A man may not disinherit his legal heirs ; parents are responsible for their children until they have been formally disowned ; but the village is only liable for cattle, whose "spoor" has been traced to their boundaries, provided their existence in the village can be proved. Grazing and reed-cutting and other work on the common land the chief opens for the year by sending a party to commence operations. Much care is bestowed on the rearing of stock—cattle, sheep, horses, and goats—and chiefs' sons often drive them to the pasture. But the women have hitherto done the hard work of fetching water and fuel, tilling the soil, grinding the grain, and generally providing food for the household.¹

(d) *Tribal Customs of Bechuanaland*

One of the distinguishing features of the Bechuana constitution is the existence of a subject class of vassals,² who have been reduced to this condition by conquest in war. They are entitled to retain a portion of the milk from the herds under their charge, and for meat they are mostly dependent on the game they can secure for themselves, but the breasts of the animals killed must be sent to their chief and the skins preserved for their masters.³ The subchieftains own land by grants from their superior, but there is no association except for political reasons. It is the aim of the paramount chief to combine with as many subchieftains as possible in the formation of a township, round which lies a ring of gardens, surrounded again by the pasture-lands, which are finally enclosed in

¹ *Native Customs Commission*, 1883, Appendix B, II. (extracted from the *Basutoland Commission* of 1873). *Social History of the Races of Mankind: Div. I. Nigritians*, by A. Featherman (1885), pp. 637, 641.

² *Native Customs Commission*, 1883, Appendix C (Kuruman), p. 240. Featherman's *Nigritians*, p. 624.

³ *Id.*, p. 625.

a ring of hunting-land, where the vassals have their abode.¹

The tendency is for the better class of native to move out, in spite of the disapproval of their chief, and to form a class of small frontier farmers.

Most men have only one wife, some have two, or very exceptionally three. The cattle given at marriage they consider to be given in purchase of their future children; Christians, married without payment of cattle, have been known secretly to give cattle in order to secure their hold upon their children. Widows are transferred to the brothers of the deceased tribesman, and their children are added to his family.

Murder is compensated for by a composition to the kindred, the judges or arbitrators getting a tithe. "Debts never die." Theft is not punished; the stolen property is merely restored or made good.²

¹ Featherman's *Nigritians*, p. 626. *Native Customs Commission*, 1883, Appendix C, p. 244.

² *Id.*, Appendix C, pp. 240-4. *Nigritians*, pp. 622-7.

CHAPTER III

*A SKETCH OF NATIVE LIFE*¹

IT is somewhat difficult to give a concise and interesting description of the South African native, for the reason that, owing to changed conditions and to the contact with what often might be described as the waste products of civilisation, he has lost many of his most picturesque and distinctive qualities.

Among the natives upon whom European influences have had most effect may be observed a strange mingling of tribal virtue and civilised vice—of savage weakness and Christian constancy,—and the result, essentially incongruous, is often sordid and grotesque. There are, of course, to be found men who, with their families, are heroically staunch in the midst of drunkenness and folly, and who lead the most consistently Christian and civilised lives. This description will attempt to deal with the native in his most natural state—where he has been least modified by that so-called civilisation which has perturbed and perplexed him by its lavish gifts of what he neither values nor understands; by its wholesale deprivation of what long ages have taught him is most desirable; by its glaring inconsistencies between precept and practice.

Let us, however, take the “kraal” of the ordinary uncivilised native—that of a Hlubi, for instance—living among the foot-hills of the Drakensberg, between Basutoland and the sea. The kraal is built on one of the lower

¹ This account is contributed by Mr. W. C. Scully, Resident Magistrate and Civil Commissioner of Bathurst.

ledges of a long, rocky spur, which is covered with rich grass in summer, but smitten brown in winter by the frost and the occasional icy winds. The ledge is shaped like a half-moon, its steep sides falling into a forked valley through which streams brawl throughout the year, except in seasons of exceptional drought. North and westward frown the black bastions of the mountain range, which are dusted white with snow during the greater part of winter, and in summer surrounded by thunder clouds.

In the centre of the ledge stands the cattle enclosure, formed of upright poles stuck into the ground, if there be any forests in the neighbourhood ; otherwise, built of stone to a height of nearly five feet. In front of the enclosure, and about thirty yards distant, stands the principal hut, in which dwells the "great" wife. On the right of this stands the hut of the "wife of the right hand" ; on the left, the hut of the "wife of the ancestors," whose progeny are supposed to carry on the honours and traditions of the family. If there are other wives, their huts are built on either side—the whole forming a crescent. The hut of each wife is theoretically her castle, and the husband is bound by custom to distribute his favours regularly, spending a week in each, by rotation.

The hut is between twelve and twenty feet in diameter, and from seven to nine feet in height (interior dimensions). Among the more southern tribes the hut is shaped like a low bee-hive, with grass right down to the ground. The northern tribes, however, usually build a perpendicular wall, about six or seven feet high, with an oval wattled roof which is covered with grass. The wall is made of wattles covered with plastered mud. Of late years, since wattles have become scarce, sods are often used. The roof is usually supported by five or six poles, irregularly placed. In the centre the fireplace is indicated by a few small stones inserted in the floor. On the side of the hut

opposite the door a rough staging often stands, and on this are laid spare food, mats, calabashes and baskets. In the roof are stuck assegais, clubs and "kerries." The floor is usually swept clean, and the sleeping-mats (made of rushes) are rolled up by day and placed on end against the wall. The door is generally made of wattles and latticed bark, the doorway being from three to four feet in height. This type of dwelling is the one in use from the Soudan to Algoa Bay, and is probably as old as the plough—of which, by the way, the Kafirs were ignorant.

Each wife has a garden assigned to her, for the cultivation of which she is responsible. After harvesting, the surplus grain will be either sold to the nearest trader or placed in the "pit," a globe-shaped excavation in the cattle enclosure, the mouth of which, below the manure, is closed by a flat stone. Unfortunately, however, of recent years the pits have been neglected, the increasing desire for cheap ornaments and European dress resulting in the sale of most of the corn harvested.

Sorghum and maize (Kafir corn and mealies) are the cereals grown. The former has been cultivated by the Bantu from time immemorial; the latter was doubtless introduced by the Portuguese in the sixteenth century; but the natives have no tradition on the subject. Besides grain, they cultivate "sweet reed," pumpkins, and a kind of semi-wild melon, which is extremely insipid to the taste. A large proportion of the Kafir corn is used in making beer—the proper native beverage, and the only form in which they have been accustomed to alcohol.

The most important element in the kraal, next to the "great" hut, is the cattle enclosure; and the milking, which takes place at about 11 o'clock in the forenoon, is a function in which all take great interest. It is the men—usually, at the time, stark naked—who do the milking, the women never interfering with the cattle or even with

the milk until it is distributed for consumption. One by one the calves, straining at the leash and roaring with desire, are conducted from the pen by the attendant boys. Then the milk-filled baskets are removed to the various huts to which the respective cows are assigned, and the contents poured into calabashes, or skin bags, for the purpose of being turned into "koumis." The Kafir, it may be remarked, never touches fresh milk.

The gate of the cattle enclosure is the place where all important discussions take place, and, in the case of the kraal of a chief, the place where cases are tried and judgment delivered. The magistrate's court is called his "inkundla," or "the gate of his kraal."

Dearer than anything else to the Kafir are his cattle ; numberless are the ceremonial observances connected therewith. In the case of many of these, however, although the tradition survives generally, the observance is only carried out among the more conservative. Formerly, ox-racing was extensively practised, the oxen running, without riders, over a course ten miles or more in length. The owner of the champion racing ox was one whom the greatest chiefs envied, and instances have been known in which offers of hundreds of head of cattle have been refused for well-known racers. Cattle form the currency of the natives in their tribal state. Ten to twenty head have to be paid as the price of a wife, nominally as "dowry" to secure her being well treated by her husband. When a girl marries, her father, if well off, presents her with a cow from his herd. This cow is called the "ubulungu," or "doer of good," and is esteemed to be sacred. It can never be killed, nor can its descendants be killed so long as it survives. A hair of this cow's tail is tied round the neck of each child immediately after birth. In many large kraals the "ixaka," or "dancing ox," is an institution. This ox is usually red in colour. Its horns

have been mutilated immediately after sprouting, to make them droop, and they are trained to peculiar shapes. In many customs, nearly all of which are quite unintelligible to those most assiduous in practising them, connected with birth, marriage or death, with dance or festival, these oxen are solemnly postured to. Should the beast be unfortunate enough to commit a breach of etiquette on such an occasion, it is at once killed and eaten.

The Kafirs recognise three, instead of four seasons: "Green Heads," "Kindness," and "Cutting." The first and third refer to the crops; the second to the time of warm weather.

Like the ancient Jews, the Kafir eats only once a day—at noon. He then consumes a large quantity, usually of boiled grain and koumis. He is the most hospitable of beings; any traveller calling at the kraal may stay as long as suits him and share in the best the establishment affords. After eating, he likes to sleep, especially if the day be hot, when he lies in the sunshine, covered only by his blanket. The women and children eat after the men have finished their repast. If the weather be fine, visiting between the different kraals is freely practised, and talking is often prolonged until nearly daybreak.

Of late years the stress, incidental to increasing population, and a succession of bad seasons have turned the Kafir, to whom labour has hitherto been disgraceful, into an industrious workman. Now, not alone does he labour assiduously at cultivating his wives' fields, but the young men migrate in their thousands to the mines. Statistics prove the natives, and more especially the Fingoes, to be by far the most industrious people in South Africa. In fact, the native supports the whole economic fabric on his despised and dusky back. It is he that has built our railways; without him the working

of our mines would be impossible. On the other hand, had it not been for the money earned at the mines of late years, many of the locations would have been in a state of starvation.

The unthinking are free with their criticism of the native's practice of returning home regularly after a period of labour, forgetting that he is not a slave, but a free man, that the conditions obtaining at the mines are such as to render it impossible for him to keep his wife and family there, and that the valley in which his kraal is built holds all that makes his life worth living.

The natives, in their tribal locations, are among the best behaved people in the world. A judicious magistrate, with the assistance of half a dozen native constables, can keep his district under effective control, and the district may contain anything between 20,000 and 60,000 people. The statistics published with the Report of the last census showed the proportion of crime to be lower among the Fingoes than among the Europeans of the Cape Colony. Existence, to the native, has lost many of its principal pleasures. The excitement of war, of the chase, the pride in the chief and his "house"—all have gone. He still holds to his "beer-drink," which, in spite of frequent broken heads and other disadvantages, has something to be said in its favour. Most magistrates of native districts will confess to you that the fight with which the beer-drink so often ends, clears the moral atmosphere of a location, and is a convenient outlet for smouldering discontent. Attached to the beer-drink are many ceremonial observances. The beer is made by damping a layer of sorghum, which has been laid between mats, until the grain begins to sprout. Then it is dried, ground to powder between stones, fermented, and boiled. The product is a beverage hardly as

alcoholic as the lightest European beer, and extremely wholesome. Of late years, however, the natives have taken to mixing bad brandy with it, and the result is poisonous to mind and body.

The customs of the natives are hoar-ancient. The 5th verse of the 25th chapter of Deuteronomy is to-day the rule among the Bantu when a man dies leaving a widow; the shrunk sinew which the children of Israel were forbidden to eat (*vide* Genesis xxxii. 32) may not be eaten by the men of the leading tribes; the principles governing dowry are those which were practised by the ancient Scythians; the "head-rests of the dead," taken from the oldest Egyptian tombs, have their absolutely exact counterpart in the wooden pillows in use to-day among the Zulus, the Swazis, and the Shangaans, and which are buried with the owner when he dies; among several of the tribes the "graves are set in the sides of the pit," as Ezekiel remarked of the sons of Assur.

The tendency of our system has been to loosen tribal ties. In some respects this has, no doubt, been an advantage; yet it is undoubtedly true that whilst the chief has lost most of his power for good, he has retained most of his power for evil. Dalindyebo, Paramount Chief of the Tembus, having inoculated his cattle against rinderpest in 1897, in obedience to the Government, went in danger of his life from his own people, who absolutely refused to follow his good example. If, however, Dalindyebo had raised the war cry, probably every one of his followers would have responded. Thus the influence of a petty chief or headman with his people is usually found to be in inverse ratio to his loyalty to Government and his co-operation with his magistrate in measures for the good of his tribe or clan. Even at this day, the often degraded representatives of the grand old "houses," which have "withered," collect

numbers of cattle by wandering about the country and begging them of the scattered clansmen.

The drink evil is widespread, and its effects everywhere noticeable. In the Cape Colony the sale of brandy is practically unrestricted; in the adjacent territories the prohibition laws are strict, but are generally evaded.

R. H. Brown

CHAPTER IV

ANNEXATION AND ADMINISTRATION

§ 1. CONTROL OF NATIVE TERRITORY

THE annexation of native territories has been accomplished piecemeal and not without bloodshed. Treaties, offensive and defensive, aiming mainly at the prevention of foreign interference, have been followed by closer relations, ending with complete annexation. Sometimes this has taken place at the express wish of the native chief and after repeated refusals or postponements by the British Government. In other cases, raiding or war between tribe and tribe, horrors arising either from revolting customs or tyrannical misrule, and above all the apparently inevitable demoralisation where the black and white races come into contact, have forced Colonial Governments to assume control of native affairs in neighbouring territories, and to provide for the administration of some definite system of law.

The policy of the Government of Cape Colony has been to assimilate the conditions of native territories, as soon as may be, to those of the rest of the Colony. But where the natives are clearly not yet ready for emancipation from their tribal organisation, the ownership of land under individual tenure and the application of colonial law prove entirely unsuitable. Such tribes have been allowed to retain their tribal customs in their own territories, with the exception of some few abhorrent practices; the chiefs have been compelled to act, generally with a small salary, in support of the British

officials, under pain of disgrace and possible removal altogether.

There are all grades of civilisation amongst the natives, from the educated native who buys land and obtains the franchise in the colony where he goes to reside, to the "red-blanket" Kafir who adheres tenaciously to tribal ways, seeing in every action of the Government a renewed attempt to "eat up" himself or his tribe.

We are here, however, only concerned with those who form part of a native community, living under their own tribal laws, or under some special legislation substituted for them. There are three main divisions: Protectorates, Crown Colonies, and Reserves or Locations. These last are also subdivided into Government Locations—where the territory, within the boundaries of a colony, has been set apart for the exclusive use of the natives—and the so-called Private Locations. The latter consist of native settlements, varying in size, on private land belonging to a colonist, who exacts rent in some form or other and presumably has a right of eviction.

Locations near towns come under municipal regulations and are ruled accordingly by the municipal authority; there are also Village Management Acts, under which the more advanced native villages may apply for Village Boards, with limited municipal powers.

In nearly all the native districts the administration is organised for the benefit of the black inhabitants to the exclusion of whites, and therefore, within these areas, native laws are recognised and administered, either by their own chiefs or by the magistrate or Government official.

Naturally a law-abiding people, the Kafirs have in many respects attained to a relatively high standard of social life, and their tribal organisation and laws are calculated to meet satisfactorily all the incidents and

emergencies arising in their own course of life. With new ideas comes the need for new rules and restraints.

Besides the delimitation of boundaries and the maintenance of order, other economic influences are at work. The introduction of the plough promises to have considerable results in bringing land under cultivation and emancipating women from the hoe, and it may have a greater effect upon the question of polygamy than the somewhat unsuccessful attempt at registration of marriages. One of the main reasons for a Kafir's taking further wives being to increase the efficiency of his establishment, it becomes as much an industrial question as one of marriage, and the number of his wives, provided that he could get more land for them to till, has hitherto been an index of his resources rather than of his encumbrances. How this will be affected by the individual ownership of land remains to be seen.¹

Where the tribal system appears to fail is in providing a progressive scheme capable of accommodating itself to rapidly increasing population within boundaries now for the first time absolutely unyielding.²

"This is the most serious question before the country," writes a correspondent who was brought up in Kaffraria.³ "Individual title must go hand in hand with civilisation; but what is to become of the surplus population? At

¹ *Cape Blue Book on Native Affairs*, 1900, p. 36: "Rinderpest has materially interfered with the 'status' of wives under Kafir marriage. She is much more a puppet in the hands of husband or father, and much unhappiness is the result."

² *Cape Blue Book on Native Affairs*, 1898, p. 75: "There is no vacant land of importance" in the territory of Transkei, Tembuland, and Pondoland. *Id.*, 1900, p. 26: "The locations in the Herschel, East London, and Peddie districts are becoming overcrowded, and difficulty is found by the inspectors in supplying arable land to the young men who are about to marry. On the other hand, the residents of Barkly West Reserves have more land than they can use."

³ Mr. James W. Weir, King William's Town.

present the reserves are homes for the families of the fathers and sons of those who are away at work ; but when these reserves disappear, where will the families of those who live by labour find a home ? ”

A short survey of the way in which the government of native territories has been affected by Annexation or Protection, may help one to a clearer view of the present position of the native tribes in South Africa under British rule.

(a) *Protectorate—Bechuanaland*

“ The territory between the Molopo and Botletle Rivers is under the *protection* of Great Britain, which means that all white people living in it are under the jurisdiction of magistrates appointed by the High Commissioner, and that the relationship of the native tribes to each other is controlled by the same authority, though the government of the chiefs over their own people is not often interfered with.”¹

The effect of the establishment of a Protectorate in South Africa is that, within the territory, the High Commissioner may “ by proclamation provide for the administration of justice, the raising of revenue, and generally for peace, order, and good government of all persons within the limits.” Where jurisdiction is given to a chartered company, the Protectorate is held to remain ; only in that case it is over the chartered company, instead of directly over the native peoples.²

The Bechuanaland Protectorate was established in 1885, and the whole of Northern Bechuanaland was included in the British South Africa Company's charter and placed under the company's control.

¹ Theal, *South Africa*, p. 391.

² W. E. Hall, *Foreign Jurisdiction of the British Crown* 1894, pp. 216-8.

In 1895, at the personal appeal of the three chiefs Khama, Sebele, and Bathoen, the control of the company was withdrawn, and they were allowed to retain their hold on practically the same territories which they held before, subject to the advice and assistance of a commissioner and a few officials. The people under the chiefs were to pay hut tax, and a force of black mounted police should assist to maintain peace and order.

The people are gathered together in rather large townships, whilst the subject tribes inhabit the outlying country districts. In the Bechuanaland Report for 1896-7 it is stated as "doubtful whether Khama will be able much longer to maintain the population of from 20,000 to 30,000 persons in one centre such as Palapye. The chief would probably be wise if he were now to considerably reduce the size of his town and scatter his people more about the country; but he will not do this until circumstances actually compel him, as it is evident that his hold over his people is gradually weakening, and would be still further endangered by any such process of decentralisation."

"The tendency to split up the tribes," writes one of our correspondents, "was very pronounced before we came, and is more pronounced than ever before. Chiefs are becoming increasingly impossible. Quarrels and consequent appeals to the Government are common.

"Reserves or Locations do not exist." . . . "The Protectorate *belongs* to natives; and there is clearly more land in their possession than is necessary for their maintenance. Some native chiefs have granted large concessions to white men, sometimes with a hazy notion of what they were doing. But natives assert emphatically that no chief has the right or the power to alienate native land." ¹

¹ Rev. W. C. Willoughby, Palapye. See Appendix A, p. 310.

"If the settlement which follows the war," writes the same correspondent, "should involve a United States or a Dominion of South Africa, then I should like to see great native territories like the Protectorate and Basutoland provided with an advisory native council. This council would be very valuable to our Governors; but it would be a fine primer of political education for the natives."¹

(b) *Chartered Company—Rhodesia*

The territory for the administration of which the British South Africa Company is now directly responsible is divided into (1) *Southern Rhodesia*—i.e. the provinces of Mashonaland and Matabeleland; and (2) *Northern Rhodesia*, running up to the Congo Free State and German East Africa.

In *Southern Rhodesia* the executive establishment is composed of the Senior Administrator, assisted by a council. There is also a legislative body styled the Legislative Council, four of whose members are elected by the registered voters in the territory. The Administrator, with the advice and consent of the Legislative Council, may make ordinances, subject to the assent of the High Commissioner, for the government of Southern Rhodesia.

A Resident Commissioner, appointed by the Secretary of State and paid from Imperial funds, resides in Southern Rhodesia, and reports to the High Commissioner.

The head of the *Native Department* is the Chief Secretary and Secretary for Native Affairs. The provinces of Mashonaland and Matabeleland are kept distinct and are supervised by two Chief Native Commissioners. Under the Chief Native Commissioner for Mashonaland are fourteen (resident) Native Commissioners and six Assistant Native Commissioners. In Matabeleland there are fifteen (resident)

¹ Appendix A, p. 316. The Basuto chiefs petitioned through the Resident Commissioner for a National Council for Basutoland, in 1899.

Native Commissioners and seven Assistants. Their districts correspond with those of the paramount chiefs in Mashonaland, and in Matabeleland with those of the principal indunas. The Native Commissioners supervise all matters concerning the welfare and good order of the natives in their districts. Some have been invested with judicial authority for remote districts as special justices of the peace. They receive the hut tax, and report on the condition of all native matters. All judicial appointments have to be confirmed by the Secretary of State. The police force is under control of the Imperial Government, and the commanding officer is paid from Imperial funds.

The survey of land, the demarcation of native reserves, and the granting of freeholds, as well as the subdepartment of agriculture, with the timber reserves and the conservation of woods and forests, are placed under the Surveyor-General's department.¹

In Matabeleland the Administrator is held to be supreme chief in place of the king; and the Chief Native Commissioner takes the place of his principal induna, or prime minister. From these all orders are transmitted through the Resident Native Commissioners of the districts to the subsidised *indunas*. The principle of an extended mutual responsibility among the natives is thus maintained.² The Commissioners decide native disputes, as far as is consistent with justice and morality, according to native customs; and it is reported from Mashonaland that their judgments are preferred by the natives to those of their chiefs.³ A Commission was sitting in 1898 for the purpose of framing a Code of Native Law and Custom.

Under the Southern Rhodesia Native Regulations (1898)

¹ Report for 1897-8, published 1899.

² *Id.*, p. 219.

³ *Id.*, p. 206.

all chiefs are subject to the Administrator in Council, and may be removed from their chieftainship (subject to the assent of the High Commissioner). Also, with the concurrence of the High Commissioner, chiefs may be called upon to supply men for the defence of the country and for the suppression of disorder, and, if required, to render service personally themselves. The chiefs, thus holding office during the pleasure of the Administrator, receive allowances and are responsible for the good conduct of the natives under their charge. They report all crimes and offences, all deaths, epidemics, etc., to the Native Commissioner. They are assisted by district headmen under them in the collection of hut tax and in all their duties.

Northern Rhodesia is gradually being brought under the authority and control of the Company's Administrators. The establishment consists of an Administrator and Collectors and Assistant Collectors in four principal and four minor stations.

In *Barotseland* the Company has a representative at King Lewanika's kraal.¹

(c) *Crown Colony—Basutoland*

The only part of South African territories now in the condition of a *Crown Colony* is Basutoland. It was taken over as a British possession in 1869, the western boundaries being readjusted with the Orange Free State. An agent was appointed by the High Commissioner at the Cape, who, with a few magistrates and some police, advised and guided rather than ruled the chiefs. The chiefs parted with as little authority as possible on their side, and were made as much use of as might be in influencing their people. Two years later the territory

¹ Report for 1897-8, p. 5.

was annexed to Cape Colony, the administration remaining unchanged and native laws being recognised, with the exception only of the worst practices.¹ Four resident magistracies were created. Colonial law, unless specified, was not to apply. Out of the receipts from hut tax, etc., were paid the cost of administration and the allowances to the chiefs. In 1879 a further proclamation was made containing the statute law since in use in Basutoland.² The creation of other magisterial districts was authorised, and the limits of the magistrates' jurisdiction were defined. The Governor might allot the land for occupation of members of the tribe, and divide the territory for that purpose into subdivisions, nominating a headman to each, who should submit lists of suitable allottees. The headman was to be assistant tax collector. Trading regulations were included, instituting annual trading licences, and strictly defining the privileges of the licensed traders.

Finally, after the revolt of the Basutos against the measures adopted by Cape Colony for disarming the Kafirs, the Imperial Government resumed control, and in 1884 Basutoland was declared a Crown Colony.

The Basutos have been most fortunate in their first two Resident Commissioners, who, with the magistrates, appear to have gained a very strong hold upon the chiefs and the native population. The subordinate chieftainships are held by sons or relations of the paramount chief. The only white population consists of officials, missionaries, and traders, no others being allowed to settle in the country, which remains in this respect a true native reserve. Passes are required by all natives leaving the territory.³ All legislation is in the hands of the High Commissioner, who issues proclamations.

¹ Act 12, 1871.

² Proclamation, March 29th, 1879.

³ Theal, *South Africa*, 1899 (Story of Nations Series), *passim*.

Serious criminal cases are tried by the magistrates ; civil cases can be brought before the magistrate or the chief at the option of the disputants. The chiefs still possess great power, though year by year the officials gain greatly in moral weight, and the preservation of law and order is progressing, it is stated, along with the prosperity of the state.¹

(d) *Reserves and Locations*

In the annexation of native territories to the Colonies, the setting apart of definite areas as *reserves* or *locations* for the native tribes has been the course usually adopted. The system of mutual responsibility and the duty of heads of kraals to report to their superiors every occurrence of importance have been continued. The powers of the supreme chiefs have, of course, been curtailed, but, except in cases of crime or disputes carried before the magistrate, the internal life of the tribe is only gradually affected.²

The history of the native territories *between Cape Colony proper and Natal* has been a chequered one, and is not easy to relate in a short compass. Some tribes—like the Fingoes—came early under British rule, in a condition partly to throw off their already weakened tribal organisation. These adapted themselves to their new influences and prospered, whilst their former masters, the Gcalekas, held sullenly aloof and remained poor and unimproved. In 1877, as Sir Bartle Frere reported, there were ten or twelve

¹ "What we are able to trace by comparative periods is that there is a consistent recognition of the value of labour and industry, and a higher respect for law and order and domestic discipline" (Basutoland Report for 1899-1900).

² The magistrate of Bizana (Pondoland, 1898) reports that "the natives are more and more deserting their chiefs and appealing to our courts. One of the most powerful chiefs in the district is constantly complaining that his people no longer treat him with any respect, and many of them refuse to pay him the dues which they have continued to pay even since annexation."

other tribes in Kaffraria in various stages of anomalous dependence. Their old pastoral habits were gradually giving way, the greatest instrument of change at that time seeming to be the plough.¹ By the British Kaffrarian Ordinance (10 of 1864), except in certain cases of Christian marriage, native law was recognised for the administration of native estates. All property acquired by virtue of the customs of a tribe was to be subject to them. Cases of disputed inheritance were to be decided by the magistrate of the tribe where the deceased was domiciled, according to tribal law, with appeal against his decision to the Governor. By Act 10, 1870, power was given to the Governor, with the advice of his Executive, to issue regulations to have the force of law. Fines and receipts were to be administered for the common benefit of the community. British officials had resided in parts of Transkei from 1873 onwards, and in 1876 power was given to the Governor to appoint inspectors for all locations. But the first formal annexations were made in 1879, being followed by others in 1884, 1885, and 1886. This step was mostly due to the serious trouble which occurred in Kaffraria in 1878 and 1880. Pondoland maintained its condition of "anomalous dependence" until 1894, when internal dissensions and consequent troubles over the border rendered it necessary to annex the territory to the Cape Colony. The chiefs received pensions in exchange for their independence.

These territories, now are divided under two chief magistrates. One, called the Chief Magistrate of Transkei, Tembuland, and Pondoland, has nineteen districts under him, each with its resident magistrate. The other chief magistracy, called Griqualand East, is composed of nine districts, or resident magistracies. The chiefs retain considerable power as arbitrators in unimportant cases, and

¹ *The Transvaal Trouble*, p. 36.

in referring cases for trial before the resident magistrate. In some cases where the chieftainship has lapsed by reason of the death or misconduct of the chief, the chiefs have been superseded by headmen of districts. Kafir law is recognised and administered by the magistrates, with the assistance of the headmen, wherever colonial law would not justly apply, tribal discipline being maintained for all internal purposes. There is an appeal from the decisions of the resident magistrate to the court of the chief magistrate. The cost of administration is defrayed out of the hut tax. Fines belong to the Crown. The allotment of land is vested in the Governor, without any special limitation, "for the occupation of the several members of the tribe," as in Basutoland.

British Bechuanaland, which had been constituted a Crown colony in 1885, was annexed to the Cape Colony in 1895. The natives are chiefly Barolongs, who live on scattered reserves under their headmen, most of whom receive small salaries. The territory is divided into five divisions under civil commissioners and magistrates, with inspectors of native reserves and locations. The subject population (called *vaalpens*) are practically slaves to the Barolongs and possess nothing, everything they earn going to their masters. In one of the divisions, Gordonias, there are no reserves. The Hottentot race is dying out; the Bastards, with a few exceptions, are fast going backward and parting with their land; the Bushmen and Korannas are a nomadic people who have never been under a roof, and are useless as servants. The only occupation they are fit for is that of herds.¹

In *Natal* the native reserves are governed in much the same way. The Governor is supreme chief, and there is a resident magistrate in each district. Under the Native Locations Act, 1896, the Governor has power to appoint

¹ *Cape Blue Book on Native Affairs*, 1899.

inspectors for native locations, and to issue rules from time to time to regulate the use and occupation of the lands. The local chiefs remain over their tribes, or are replaced by headmen elected by the Governor. They receive small salaries, varying from £6 to £30 per annum. The Native Administration Act (26 of 1875) contained a Code of Native Law, practically maintaining what was most suitable of the native customs. It has subsequently been modified in details. Since the annexation of Zululand and Amatongaland to Natal in December, 1897, their customs have been recognised by the application to them of a modified form of this code, their lands were reserved to their exclusive use and occupation, and magistrates have been sent to reside in the districts. There is also a Chief Magistrate for Zululand as a whole. In the native reserves of Natal and Zululand the natives live very much the same domestic lives as in the days of their forefathers. In some of the districts the jurisdiction possessed by the chiefs is still very extensive, subject, of course, to the resident magistrates of each district.¹

(e) *Locations on Private Land*

The Government also has control over *locations on private lands*.

By Act 8, 1878, of the *Cape Colony*, wherever there could be found on private land a collection of huts, being more than five, within an area of one square mile, inhabited by natives not being *bona fide* in the continuous employment of the owner of the land, such collection of huts was to be deemed a location, and was not to continue to exist without an express licence from the Governor, who may limit the number of huts allowed, and appoint an inspector. Natives, settled thus in small communities on private land, would

¹ *Natal Blue Book on Native Affairs*, 1898.

probably pay rent to the owner or give him a fixed share of the produce. They follow their own laws and customs, referring disputed cases to the inspector, or magistrate, for arbitration or decision.

This Act of 1878 was repealed by Act 37, 1884, which defined a native location on private property or on Crown lands (with the exception of municipal locations) as "any number of huts or dwellings on any farm occupied by three or more male adults," not being in the *bona fide* and continuous employment of the owner of the land. Government permission was required to establish such a location, and none might continue without licence. The Governor might limit the number of huts. Inspectors would be appointed, but appeal would be allowed to the resident magistrate. The proprietor of the land would be liable for the payment of the hut tax on his land. The inhabitants must give information when required, under penalty for refusal. Notice must be given of new huts to the inspector. Unregistered cattle would be presumed to have been stolen, and their possession would be "*prima facie* evidence of the guilt" of the possessor.

By Act 33 of 1892 the Governor has power to specify the number of male adults (exceeding three) whose occupation of huts on any one farm shall constitute a native location. All groups containing seven or more huts are held to be locations. He can also revoke or suspend licences granted, but reasonable time must be given to reap crops. The licence shall be renewed annually.

By Act 5 of 1899 these regulations could be suspended by proclamation from applying to particular areas where natives reside or are located for mining purposes, etc., and special rules were laid down for the management and Government inspection of such areas.

In *Natal* a large proportion—nearly half—of the natives are grouped in larger or smaller units on private land,

paying rent to their landlords for their huts and holdings as well as hut tax to the Government. Many tribes retain their tribal organisation under hereditary chiefs or headmen, with a right of appeal to the magistrates. These locations are managed under Act 37 of 1896, which gives the Governor power to appoint inspectors, and to issue regulations providing for the apportionment of land, the movements and distribution of natives, the duties of chiefs, and generally the preservation of health and the observance of decency. The natives remain subject to the Native Code contained in the Native Administration Act (1875) and its amendments.

Natives in *Southern Rhodesia* are also found occupying land on private farms. In the event of their being unable to make arrangements for their continued occupation agreeable alike to the landowners and themselves, they can remove to Government reserves, already set apart for this and other contingencies.¹ By proclamation of October 14th, 1896, a group of more than seven families settled on private land constitutes a native location. Sufficient land having been set apart for them under supervision of the Chief Native Commissioner, the landowner has a first claim on the labour of any surplus member of the families on his land. The Chief Native Commissioner, however, may object to such employment of any whose labour is, in his opinion, needed for the proper cultivation of their own allotments. In agreements for payments for rent between natives and the landowner, the Chief Native Commissioner shall see that sufficient of the produce of their land is retained by them for the maintenance of their families with the exception of able-bodied males whose labour is not required for the cultivation of their allotments.

¹ *British South Africa Company's Report*, 1897-8, pp. 102, 109. See *infra*, pp. 68-9.

§ 2. LOCAL SELF-GOVERNMENT

In 1894 an Act was passed for the district of Glen Grey, and any other district that might be found suitable and willing to adopt the new measures, by way of further attempt to assimilate the internal government and system of land tenure of native districts to the requirements of progress and development.

The Act is entitled an "Act to provide for the disposal of lands and for the administration of local affairs in the district of Glen Grey and other proclaimed districts." After providing for the division of the district into locations, each under control of Location Boards of three landholders appointed by the Governor with the approval of the inhabitants, power is given to the Governor to establish by proclamation a District Council for the administration of local affairs within the proclaimed district. The Council is to consist of twelve members: six to be nominated and appointed by the Governor, and three to be chosen, subject to approval by the Governor, by the members of the Location Boards from amongst themselves in each of the two field-cornetries in the district—Tambookieland (to be known as Glen Grey) and West Waschbank (to be known as Lady Frere). The Resident Magistrate shall be additional member and *ex officio* chairman of the Council. Councillors may be paid for their work and receive fees for attendance. The Council may, for purposes of this Act, levy a rate not exceeding twopence in the pound on persons owning immovable property within the district, with certain exceptions. A rate of not less than five shillings shall be "paid by every registered holder, and by every other male adult native resident in the district who is fit for and capable of labour, exclusive of natives in possession of lands under ordinary quit-rent title or in freehold." The

proceeds of these rates are to be expended on the valuation and assessment of property, salaries of officers, etc., on roads and dams and bridges, encouraging cultivation of trees, destruction of noxious weeds, industrial and agricultural schools, and other public purposes.¹

In 1896 the Resident Magistrate reported most favourably on the working of these clauses of the Act in the division of Glen Grey: "The Council, formed as it has been of the leading advanced natives in the district, has secured the confidence of the people, its members have taken a keen interest in the welfare of the district, and have evinced a considerable grasp of work which at the beginning of the year was absolutely new to all of them. The Council rates have been well paid up, the natives realising that under the changed condition of affairs this tax is expended for their benefit by their own representatives."

A similarly satisfactory report was sent in from the Chief Magistrate of the working of the District Council in the territory of the Transkei, to which the Act was applied in October, 1894. The Resident Magistrates reported that these clauses worked "excellently well" in the Nqamakwe district, and had already had a wonderfully good influence on the Fingoes of the Tsomo district, "filling a long-felt want" in the direction of local self-government.²

By the proclamation on October 4th, 1894 (No. 352 of 1894), establishing district councils within certain districts in the territory of Transkei, further provisions were made for the formation of the *Transkei General Council*, to consist of the Chief Magistrate and Resident Magistrates

¹ For particulars of the clauses affecting land tenure, see *infra*, chap. v. p. 80 ff.; for the labour tax, see chap. vi. p. 101.

² Universal approval of the local self-government clauses is expressed by our correspondents in South Africa. See Appendix A, pp. 289-94.

of the districts concerned, four additional members to be appointed by the Governor, and two representatives nominated annually from the several district councils. The Transkei General Council has power to levy for local public purposes a general rate of not less than ten shillings in one year, upon every native man and woman "who shall be the occupier, either alone or with his or her family, of land or of any hut, and also a rate to be paid by every other native man residing in the area."

CHAPTER V

LAND TENURE

§ 1. COMMUNAL TENURE

IN the *Bechuanaland Protectorate* the land still belongs to the chiefs, subject to the rights of their tribesmen. At present "there is clearly more land in their possession than is necessary for their maintenance," writes the Rev. W. C. Willoughby from Palapye. "But natives assert emphatically that no chief has the right or power to alienate native lands."

In *Southern Rhodesia* the Native Commissioners, who control the natives through their tribal chiefs and headmen, have power to assign lands for huts, etc., and grazing grounds for each kraal on vacant lands or reserves in their districts, and no new huts or gardens may be established without their approval.¹ No native, other than an aboriginal native of Rhodesia, may settle in any Rhodesian Kafir kraal without a permit from the Native Commissioner of the district or from his employer.² Under the Southern Rhodesia Order in Council (1898) the Company "shall from time to time assign to the natives inhabiting Southern Rhodesia land sufficient for their occupation, whether as tribes or portions of tribes, and suitable for their agricultural and pastoral requirements."³ All questions relating to the settlement of natives on the lands shall be subject to review by the High Commissioner.⁴

¹ Southern Rhodesia Native Regulations, 1898.

² *Gazette*, November 4th, 1898. *British South Africa Company's Report*, 1897-8, p. 7.

³ Sect. 81.

⁴ Sect. 82.

The Company retains the mineral rights in all land assigned to natives, and, with the approval of the High Commissioner, "may order the natives to remove from such land," giving them "just and liberal compensation" in suitable land elsewhere.¹

The Administrator of Mashonaland reported (September 30th, 1898) that "proper reserves have been provided throughout the territory, to which natives, who are unable to come to terms with the proprietors of land on which they have resided, have a right to resort."² These reserves, it is further stated, "are capable of holding all the natives in the country," if need be.³ But up to that time there had been no need to remove many natives from private property to the reserves, satisfactory arrangements having been arrived at in most cases between the land-owners and the native occupants. Large blocks of Government land, suitable for agriculture, have been set aside similarly in Matabeleland for the same purpose, and also with a view to providing reserves for possible immigrant natives. In 1898 negotiations were proceeding for the settlement of, say, 10,000 native refugees from the Transvaal on a Government reserve in the Belingwe district of Matabeleland.⁴

(a) *Tribal Tenure in Reserves*

The main immediate effect of *annexation* upon the land system in native territory is the transfer of the ownership of the soil from the paramount chief to the Government of the British Colony. This is a direct blow to the power of the chief. He loses henceforth the power of allotting land to tribesmen, except under direction of the new paramount power, and vacant lands no longer revert to him on failure of heirs.

¹ Sect. 84.

² *British South Africa Company's Report*, p. 102.

³ *Id.*, p. 206.

⁴ *Id.*, p. 109.

On the annexation of *Basutoland* in 1879 the allotment of land rested in the hands of the Governor of Cape Colony, who was expected to allot in subdivisions to headmen, who in their turn would submit for his approval a detailed list of suitable allottees of the actual ground. *Basutoland* is now a Crown colony, and the land continues to be occupied on communal tenure. It is reserved exclusively "for the occupation of the several members of the tribes."

By the Transkeian Annexation Act (38 of 1877) the land in *Transkei and Griqualand East* was vested in the Governor, but not necessarily exclusively for the benefit of tribesmen, as in the case of *Basutoland*. And by Act 40 of 1879 (Native Locations, Lands, and Commonage Act) the Governor may divide lands and give quit-rent tenure; but this shall not annul the Location Regulations.

British Bechuanaland was annexed by Act 41 of 1895. "No lands at present reserved for the use of natives" were to be alienated or in any way diverted from the purposes for which they were set apart. The chiefs were allowed to remain, and continued to receive allowances.

In *Natal*, as early as May 27th, 1858, the land of the Amatuli to the extent of 7,977 acres was transferred to a trust, consisting of the chief, with the Bishop of Natal and the Secretary of Native Affairs, to apply all rents and profits to the advantage of the people of the tribe, with power to apportion the lands, if thought desirable, in freehold among the tribesmen.

By Letters Patent, April 27th, 1864, a "Natal Native Trust" was formed, consisting of the Governor and his Executive Council of the colony of Natal, for the administration of the whole of the native lands in the colony. This trust is still in force, and under it more than two million acres are administered for the "support, advantage, and well being of the natives of Natal."¹

¹ *Natal Blue Book on Native Affairs*, 1896.

Progress has in the last few years been made in Natal in fencing off the various locations from one another, and in defining the boundaries between locations and farms held by Europeans. "The defining of the boundary lines between tribes, or sections of tribes, has proved to be of the greatest benefit by removing disputes which often resulted in serious quarrels."¹

Within the locations the apportionment of land is to be by the chief. No native is allowed to move his huts without the chief's consent, to be recorded and, if needful, reviewed by the magistrate. The chief is to see that no new kraals are made on commonage, and that the regulations with respect to stray stock, and so forth, are adhered to within his district.²

According to the returns of the resident magistrates in the Natal Blue Book of 1896, about half the native population were living in kraals on private lands, paying rents from £1 to £5 per hut to the owners of the farms, in some cases supplementing the rents with labour. These farms appear to consist of from 1,500 to 5,000 acres, upon each of which a group of natives live under their hereditary chiefs or headmen. Each kraal would cultivate from five to ten acres of land after the native manner, the rest being used for commonage. The landlords can apply to the magistrate for eviction, but it does not seem to be often resorted to.

In Zululand, under the Annexation Act, 1897, "until other provisions shall have been made in that behalf," no grants shall be made within the province, nor shall the natives be disturbed in the occupation of their lands, except in the case of township or mining properties. The Natal Native Trust has not been extended to Zululand. The Imperial Government consented to the

¹ *Natal Blue Book on Native Affairs*, 1896, p. 3.

² Act 37, 1896.

annexation on condition that the existing system of land tenure should be maintained for five years, and that in the meantime a Joint Imperial and Colonial Commission should be appointed to delimit sufficient land reserves for native locations, which shall be inalienable, except with the consent of the Secretary of State. During the period of five years, however, the Natal Government, with the consent of the Secretary of State, may proclaim areas for townships, if rendered necessary by mining enterprise.¹ The land is mainly cultivated by the women with hoes, in the old way. Ploughs are hardly known in some of the districts.²

The bulk of the land in native reserves and in native locations on private land, whether in Natal or in Cape Colony, is thus held by or let to groups of natives in tribal units. Surplus lands become Crown lands, available for grants to communities or individuals on quit-rent tenure, or as laid down from time to time by Acts of Parliament.

In all cases, until definite action has been taken to substitute another form of tenure, the communal tenure and the occupation of land in the districts remain as they were under the independent chief with his subordinate subchieftains. There is no transferable value to the occupying tribesman in his allotment of land, which reverts to the chief or headman before it can be regranted to another. If a piece of land has been dug or ploughed for two or three years, it has often become less valuable rather than more; it is so far exhausted, and it is nearer the time when it must be allowed to go back for a time into bush or pasture. The right of a son or heir to break land as required round his kraal within

¹ See Minute by Natal Ministers, No. 42, 1898.

² Departmental Report, by the Chief Magistrate, Zululand, 1898.

the same area as his father does not pass to him as a succession to valuable property created by the outlay of labour and capital by his father. It is a tribal right, necessary to his position as a member of the tribe responsible for the support of his family. There is thus little encouragement to individual effort.

The tribal tenure of land, knit up as it is with the personal relation of the landholder, on the one hand to the chief, and on the other hand as head of his family to its subordinate members, is not a progressive system. And it has always been the object of Colonial Governments ultimately and as soon as possible to substitute some form of individual holding. If successfully established, the advantages at first sight seem to be numerous. The natives might more speedily lose their almost nomadic restlessness under difficulties, if some idea could be instilled into them of the real value of a permanent holding of land, and of the labour they year by year expend on it. Fixity of tenure, moreover, is necessary to induce them to put more energy into the cultivation and irrigation of their plots. A higher class of cultivation and irrigation would go some way towards meeting the growing needs of a rapidly increasing population. Ploughs are said to have brought more land under cultivation; but the native mind is slow to move, and their conservatism in this instance has been supported by the chiefs, who are naturally reluctant to further weaken their influence by the introduction into the tribe of so revolutionary a change as private ownership of land.

The Acting Resident Magistrate for Middledrift (division of King William's Town) states in his report that "the consequences of a tribal system may briefly be stated thus: Overcrowding and constant land disputes, owing to the commonages and arable lands being undefined."

The Inspector of the same district complains that a considerable portion of his time is taken up in endeavouring to settle such disputes, especially when one native holds additional lots which have been entrusted to him by absent friends. He suggests that such trusts ought to terminate in forfeiture after an absence of, say, two or three years.¹

(b) *Farm Tenure*

A step forward was attempted some time ago in the direction of surveyed boundaries and a more definite method of land occupation in the *Tambookie* location, part of the Glen Grey district. The resident magistrates, reporting to the Native Customs Commission (1891), invariably recommended the course adopted in this location as a useful preliminary step in the direction of private ownership of land, for which most of the natives, in their opinion, were not at that time ready. The system is a direct blow at the power of the chiefs, and could only be carried out where the chief's prestige had already been destroyed or broken. By reducing the size of the locations under headmen and confining them within surveyed boundaries, limits which are quite unknown in independent native states and only half realised in the reserves are placed on tribal habits. It is one of the pressing problems of the future how to accustom the native tribes to their changed circumstances in a restricted area, before the increase of the population shall have exhausted the possibility of accommodating further expansion on the land within the boundaries allotted to them.

The *Tambookie* location was divided into farms of

¹ *Cape Blue Book on Native Affairs*, 1900, p. 17. Complaints are also made of unfairness against the headmen in allotment of vacant land. See the letter of the late Bishop of St. John's, Appendix A, pp. 304-5.

1,500 to 2,000 morgen each, surveyed in the ordinary way. Each farm was made as complete as possible with water, arable, wood, and grazing. "After the survey a headman was appointed in each farm. The headman was shown the boundaries of his farm, and was informed that he was held responsible to the Government for the good behaviour of the people living on his farm, and for the collection of hut tax, etc." Twenty or thirty farms were then grouped to form a block under a senior headman to supervise the headmen of the farms. The senior headman had no farm of his own, and had to attend all courts held by the magistrate. The senior headman of blocks got £12, and the headman of farms £6, per annum. As far as was possible, one clan only was located in each lot, and the senior headman was of the same clan as the people under him. The internal arrangements for the allotment of the land were left to the headman, to be carried out according to native custom, but appeal could be made against his actions to the district magistrate, and he could not admit new settlers without the magistrate's consent. The headmen were instructed to encourage irrigation and improvements of agriculture, but the individual could not obtain a real title to his land except by exceptional grant apart from the location tenure.¹

A somewhat similar system was prepared for the Glen Grey location.² The land had been surveyed into thirty farms, each farm had its headman, and each four or five farms had a superior headman over them. There were 3,584 arable plots. On an average thirty acres were cultivated by each grantee, who sometimes had other families living on his land. The commonage was unlimited. The

¹ *Native Customs Commission*, 1883, Q. 3184.

² This has now been superseded by application of the Glen Grey Act to the district, establishing individual titles to the land.

Resident Magistrate for the district of Glen Grey stated (1881) before the Commission that there were sixteen farms in his district of 1,500 morgen each on an average, granted to natives by formal title-deeds. Of the holders of these, the civilised natives would only have a few retainers; but the "heathen" had numbers of other natives on their farms grazing indiscriminately over the whole place, and living on the land practically in their old tribal method of occupation. The owners generally got some sort of rent from the other occupiers.¹

§ 2. INDIVIDUAL TENURE

(a) *Early Experiments*

Throughout the colonies prosperous natives are found who are capable of managing farms, and who have either bought land for themselves or received grants of farms for public services rendered.² But it would appear to be the case that, grafted merely on to tribal institutions, the individual titles to land have proved failures, and the power to sell has been, in the end, ruinous to independence.

Early attempts were made to induce the natives to cultivate their land in individual holdings. At Stockenstrom, in the Hottentot Kat River Settlement, surveying began as early as before the rising in 1834. Interrupted by wars and disturbances, it was completed

¹ *Native Customs Commission*, 1883, Q. 5974-81.

² *Id.*: Q. 2927. Some of the Fingoes near King William's Town have held land on quit-rent tenure, inalienable without consent of the Governor, or on lease, since 1860; others have bought land. Q. 5974. Many bought farms in Glen Grey district. Q. 7350. The Bishop of St. John's mentioned a case of a Kafir who had bought 12,000 acres freehold and was prospering. He had established three schools on his land. Q. 8948. One native in Griqualand East held a farm of 100,000 acres, practically a native location.

in 1855, and all the lots were taken up. These were the first title-deeds on the system of individual tenure.¹

At Kamastone and Oxkraal survey was undertaken in 1875-7. Each applicant was to get a garden plot of six acres and a building lot. It was proceeded with gradually as the inhabitants came round to the idea. In 1881 only 146 titles out of 1,147 surveyed had been taken up. In 1899 it was reported by the Inspector that nearly all the natives possessed individual title and paid quit-rent.

In Peddie, surveyed 1850-60, out of 2,118 titles issued, only 80 had been taken up before 1881, and the rest had been cancelled. In Peddie (Location B) no trace remained of the private lots, except one held by the chief.²

Fifty or sixty years before the Commission of 1881, Adam Kok introduced into the province of Griqualand East a system of land registry and title-deeds. When the district was taken over by the Government in 1879, full power was given to holders to sell their land, whereas previously they had only been allowed to do so with the special consent of the chief. They were partly annoyed at being taken over, and jumped at the opportunity to sell and clear out. They thus lost their land and wasted the proceeds. The law of succession amongst them being to divide property equally amongst heirs, another inducement existed to sell their holdings, it being the easiest way of affecting an equal division. The result was that each farm became a sort of location with impoverished natives squatting on it. Some effort was being made in 1882 to buy in the farms again in the names of groups of squatters, with titles to trustees for

¹ In Victoria East (nine locations), surveyed in 1860-1, most of the titles had been taken up in 1881.

² *Native Customs Commission*, 1883, Appendix F.

the benefit of the occupiers. One farm, of 100,000 acres, was in the hands of one man.¹

Reporting on February 1st, 1900, the Chief Detective Officer for East Griqualand states that "the greatest of the inconveniences and drawbacks," with which he has to contend, is "the large numbers of squatters or loose natives found settled on farms, in European centres, throughout the whole of East Griqualand." The coloured landed proprietors "in most cases have a large crowd of all sorts of loose people, regardless of colour, nationality, or even character, settled on their farms," to the annoyance and frequent loss by theft of their European neighbours. The European landowner also has groups of squatters or loose natives on his land, from whom he draws his supply of labour. Whilst some manage their farms well in this way by means of a native location, which is thoroughly looked after and where no native of bad character is allowed to settle, others are not so careful; and although these squatters will not steal from their own employer, their forbearance will not extend to his neighbours.²

In reply to the question "Are the individual title-holders in your district doing well?" the Special Magistrate for Keiskama Hoek made the following statement: "Yes; with the exception of a number of title-holders at Burn's Hill, and I would like to explain that these were titles given to certain natives in 1868 for garden ground and building lots, but that many of the titles have never been taken up. Some who applied for titles cultivated the ground for twelve months or perhaps a couple of years, then went away and sublet the ground, without the knowledge of Government or magistrate, although it states in the title-deeds that this cannot be done. Others have failed to pay their rent

¹ *Native Customs Commission*, 1883, Q. 8891, 8923, 8948.

² *Cape Colony Blue Book on Native Affairs*, 1900, p. 62-3.

as they ought to have done, and the magistrate has confiscated a certain number of titles. There the system has not worked well; but whether it has been in consequence of not working up the people for their rent or some other reason, I cannot say. I object to the subletting of the land, and think there ought to be personal occupation.”¹

Sir T. Shepstone, in his evidence before the same Commission, stated² that a conspicuous case was that of a number of Amaswazie, who came into Natal with the Rev. Mr. Allison in 1846, and who settled at what is now Edendale, near Maritzburg. They enriched themselves by trading and in the carrying trade, and purchased land, giving as much as £1,000 or more for farms. They were very fond of trading, and usually were so sanguine of the success of their ventures that they readily mortgaged their lands. Consequently, in case of failure they were ruined. To protect themselves from their own weakness in this respect, they adopted the plan of clubbing together and getting a title in common. The land was thus bought in the name of trustees, each man having a suballotment in proportion to his contribution to the purchase of the farm. This share was to descend to his eldest son, unless he was disapproved of by the trustees, when some other son or representative must be admitted.

The Surveyor-General (A. de Smidt, Cape Town, July 30th, 1881) reported that success could only be assured where occupation and desire for fixity preceded the survey, as in Stockenstrom (Kat River Settlement), where all the surveyed lots had been taken up. Even here, however, there seem to have been some outlying

¹ *Native Customs Commission*, 1883: Q. 4173. Five out of eight of the locations in the district had been surveyed at that time (1881).

² Q. 932-44.

holders, away from the influence of the missionaries, who sold their land in times of disturbance and spent the proceeds in drink. In many cases the surveys had been pushed in advance of occupation, especially in Peddie and Heald Town, where the lots were totally unsuited for tillage.

The experiment of importing Fingo families into Matabeleland is being tried. Thirty thousand acres of land, known as the "Battlefield Block" of farms, has been purchased for immigrants, and eight hundred plots have been laid out, containing ten acres each for every head of a family.¹ Judging by reports of the amounts of land held in the neighbourhood, this does not seem an illiberal allowance. The average area of cultivated land to each hut in the Belingwe district of Matabeleland is estimated at "slightly over three acres."² It would appear to be still less in the Victoria district in Mashonaland, where there are stated to be only 61,070 acres of cultivated land to 23,690 huts. The pastoral wealth of this district also seems surprisingly small, the statistics showing about one goat and one other animal (cow or sheep) for each hut. The native population, however, is reported to be "prosperous."³

(b) Individual Titles: The Glen Grey Act

In Cape Colony, since the passing of the Glen Grey Act in 1894, some real progress has been and is being made, in the districts willing to accept the application of the Act, in surveying the land and allotting it under individual title-deeds. One by one the Transkeian districts

¹ *British South Africa Company's Report*, 1897-8, p. 218.

² *Id.*, p. 221.

³ *Id.*, p. 257. The figures are: Population, 56,699; huts, 23,690; acres, 61,070; cattle, 9,696; sheep, 5,370; goats, 24,886.

are adopting the Act, and several are now in the course of being surveyed.¹

After providing for the division of the district by proclamation of the Governor into subdivisions or locations, the Act proceeds to direct that "lists of persons in occupation of land in the said locations at the time of taking effect of this Act, and of other persons claiming to have land allotted to them, shall be framed by an officer or officers to be appointed for the purpose by the Governor. The officer or officers so appointed shall make special recommendations as to granting a larger extent of land than the average size hereinafter mentioned to such persons as may be in occupation of such larger extent at the date of the taking effect of this Act. The locations shall be surveyed, and the available extent of arable land therein, after due allowance has been made for commonage and for dwelling sites, and after allotments to claimants specially recommended, as hereinbefore provided, shall be divided into allotments of *four morgen* each, more or less, which shall be granted to such persons named on the lists hereinbefore mentioned as the Governor shall approve."²

The remainder of the land in each location is assigned as commonage for the use of registered holders in such location, right being reserved to the Governor to make roads thereon and other public necessities, and to make grants, to persons desirous of erecting substantial houses, of building sites not exceeding two-thirds of an acre on the same terms as their arable land. The holding of land is a necessary qualification for membership of the location boards. The cost of survey shall be paid by the allottee, one half at once, and the rest in four equal

¹ For the clauses affecting local self-government see *supra*, chap. iv. p. 65 ; and for the labour tax, *infra*, chap. vi. p. 101.

² Act 25, 1894, part i. sect. 4.

annual instalments, as well as a small annual perpetual quit-rent. One year's arrear of payment of the instalments or quit-rent shall empower the Governor, after twenty-eight days' public notice, to cancel the title and reallocate the land to "any approved claimant not in possession of an allotment on payment by such claimant of the unpaid instalments."

With the approval of the Governor, titles may be transferred by endorsement on the deed and transmission by the resident magistrate for registration at Cape Town. But the holder is not competent to mortgage or in any way pledge his interest therein.

The form of title-deed (contained in Schedule A of the Act) prohibits alienation without consent of the Governor, and all subdivision and subletting. It also prohibits keeping canteens or shops for sale of intoxicating liquors. Minerals and precious stones are reserved to the Crown. The lots are liable to forfeiture on breach of the conditions of the title-deed, for rebellion, conviction for theft with imprisonment for not less than twelve months, failure for twelve months to occupy the lot beneficially or to properly cultivate it according to the Governor's regulations, subject to three months' notice of cancellation to enable the holder to redeem his lot by compliance with such regulations.

Much is thus left to the discretion of the magistrate. It rests with him to determine what shall constitute beneficial occupation or proper cultivation, failure of which renders the allotment liable to forfeiture. It may be questioned whether this tenure, with its rather indefinite liability to confiscation, will prove to be as powerful an influence with the landholder for the real improvement of his lot as genuine fixity of tenure.

For the purpose of the Parliamentary franchise, titles created under the Glen Grey Act are considered to be

equivalent to communal tenure, and therefore do not carry with them qualification for votes.

Estates of deceased holders other than immovable property shall continue to be administered according to the native law and custom of his tribe, unless a will is made in accordance with colonial law ; but the Governor has power to define or supersede such customs by proclamation. The allotment and other immovable property "of every registered holder shall not be capable of being devised by will, but upon his or her decease shall devolve upon and be claimable, according to the rule of primogeniture, by one male person to be called the heir" ; provided that if the heir is already in possession of an allotment, he shall decide which one he wishes to take, and the discarded allotment shall revert to the Governor for reallocation to some other inhabitant. A holder may disinherit his heirs before the resident magistrate for good reasons shown.

The work formerly done by the headmen, under the supervision of the magistrate, is now relegated to the location boards, and the granting of personal title to the land renders some form of local self-government a necessity.¹

It is found impossible to give every native the land he claims to have cultivated in the past, but the surveyors appear to have taken great pains to satisfy the people.

Individual tenure of land under the provisions of the Glen Grey Act has not been long enough in existence for the merits of the scheme to have been proved or for its real shortcomings to have been disclosed. There can be no doubt that it would be entirely unsuitable as an universal measure for the immediate solution of the

¹ *Report on the Working of the Glen Grey Act, 1896, p. 2.*

difficulties presented by communal tenure. Many tribes to whom in their present condition the application of the Glen Grey Act would be impossible, must of necessity continue under tribal custom. Remedies for their difficulties must be sought, for the present at any rate, elsewhere than in individual holdings.

But testimony is not wanting that, where the Act has been applied with the consent of the native community, it has proved a stimulant to the individual landholder, and seems to give him an interest in his own surroundings which he had not before. At the same time, even in the more advanced locations, where the land has been surveyed and allotted, the native landholder does not seem altogether able to stand alone. He requires support against the new temptations which come to him, as a landholder, to sell or mortgage his lot. To this extent, at least, it would seem imperative still to limit his freedom of action, and protect him against his own weaknesses.

CHAPTER VI

LABOUR SUPPLY, OCCUPATIONS, AND WAGES

§ 1. SUPPLY OF LABOUR

(a) Extent and Sources of Supply

THE natives on their reserves and locations are almost exclusively engaged in agriculture and the keeping of flocks and herds. For the most part the agriculture is of a primitive character. To a considerable extent it is carried on by the women with picks and hoes, the men and boys tending the cattle and sheep. Irrigation and manuring are neglected, and fresh land is broken up as soon as the old becomes exhausted. The plough, however, has now been introduced in many districts, and its advantages are greatly appreciated by the natives. To possess a plough is one of the native's chief objects of ambition, and its use is adding greatly to the efficiency of native agriculture. The introduction of this implement is silently effecting a social revolution. According to native ideas, to handle the hoe and pick is unworthy the dignity of a man, and this work is left entirely to the women. But ploughing involves the use of cattle, and the management of cattle is the exclusive privilege of the man. Either, therefore, he must abandon his privilege, or he must put his hand to the plough and so take the woman's place in working on the land. Rather than hand over his cattle to his women folk, the man drives the team himself, and is thus contentedly learning the "dignity of labour" at the tail of the plough.

Owing to the growth of population, local scarcity of land or cattle, the spread of education, and the awakening of new wants, large numbers of natives are annually induced by the attraction of high wages to leave their locations for employment elsewhere.¹ The number of passes issued yearly to natives who thus leave their homes in search of employment proves the extent of this tendency and the growing volume of the supply of migratory labour. In 1898 the number of native labourers who obtained passes in the Transkeian territories of Cape Colony was 61,034, as against 47,572 in 1897; and in the Colony proper (exclusive of the divisions of Alexandria, Barkly West, Gordonia, Komgha, and part of the division of Peddie, for which there were no returns) over 45,000 labour passes appear to have been issued in 1898. In the same year 21,244 passes were issued to natives of Natal leaving that colony in search of work, of which 3,695 were issued in Zululand. A large supply of native labour is also obtained from Basutoland, as may be gathered from the following passage in the Resident Commissioner's report for the year ending June, 1899:—

“Though for its size and population Basutoland produces a comparatively enormous quantity of grain, it has an industry of great economic value to South Africa, *viz.*, the output of native labour. It supplies the sinews of agriculture in the Orange Free State; to a large extent it keeps going railway works, coal-mining, the diamond-mines at Jagersfontein and Kimberley, the gold-mines of the Transvaal; and furnishes, in addition, a large proportion of domestic servants in the surrounding territories. The number of men who received passes for labour during the year under review [1898–9] amounted to 37,371.”²

¹ In native idiom, during times of scarcity a man must “eat his own strength.”

² For statistics as to labour passes *vide* Statement A at the end of this chapter.

These statistics as to labour passes show that in many districts it is by no means impossible or even difficult to induce the natives to leave their locations for employment at great distances and in uncongenial occupations. "Treat and pay your natives well," writes a coloured labour agent,¹ "and you will no more have to waste your time in discussing native labour difficulty." And the figures given above are merely an illustration of this willingness of the native to seek work ; they are by no means exhaustive ; they take no account of the constant migration of native labourers without passes within the boundaries of a district or colony, or into districts, such as the Bechuanaland Protectorate, where no pass law exists ; and no attempt has here been made to give statistics with regard to the large labour supply obtained from the Zambesi districts and the Portuguese territories on the East Coast.

But the native, in spite of his temporary migrations, almost always remains at heart an agriculturist. Attracted by the high rates of wages offered at the mines, in many districts he readily leaves his location or reserve to enter the employment of the mine owner ; but after a short term of service, usually not extending over more than a few months, he expects to return to his home to enjoy the fruits of his labours and to resume the normal life of his people. Moreover, in seasons of the year when he is employed in agricultural pursuits, such as ploughing, shearing, or picking, he is often exceedingly unwilling to seek employment elsewhere. Nor can it be denied that, from his point of view, the importance of which is too apt to be ignored, his conduct is reasonable enough. His aim is not that of the English agricultural labourer, who seeks employment at industrial centres for the purpose of raising himself above the status of his fathers, and who dreads

¹ Mr. J. M. Pelem, letter to *Cape Times* (weekly edition) of November 7th, 1900.

nothing more than the thought of returning to the plough. On the contrary, the native's whole object, as a rule, in seeking work is to earn sufficient to establish himself more securely in his old position on the land. Owing to the high rates of wages obtainable at the mines, he is able to attain his purpose with comparative ease. Short as is the time he remains at work, he often returns home with considerable savings. "A very much larger number of natives," says Major Sir Henry Elliot, the Chief Magistrate of Transkei, Tembuland, and Pondoland, in his report for 1898,¹ "left for the popular centres of labour last year than did so during any previous one. The traders, who are in the best position of any to judge of the average amount of money earned by each man leaving the territories in search of work, generally estimate it at from £10 to £15. Forty-seven thousand four hundred and fifteen went forth to labour last year, which will give some idea of the amount of money earned by the people under me. . . . As natives never hoard money, all of this vast sum finds its way to the colony." With the money thus earned the native returns to his tribe, buys cows, marries, and settles down to the easy life of his race, until rinderpest, a bad season, or the desire of acquiring further wealth impels him again to seek employment.

This system of short contracts of service is a source of constant inconvenience to employers of native labour. It involves incessant changes, and is detrimental to the efficiency of their employés. With good treatment, however, some mine owners appear able to induce their men to remain with them for more extended periods. It is stated, for instance, that the natives in the employ of the De Beers Company at Kimberley often stay in the compound for a year at a time, occasionally going out for a short holiday of a week or so. It may, therefore,

¹ *Blue Book on Native Affairs*, 1899, p. 71.

not unreasonably be hoped that this difficulty may be obviated, or at any rate greatly lessened, in the future.

(b) *Labour Agents: Contracts of Employment*

Much of the labour for the South African mines being thus obtained at great distances from the mining centres, the work of collecting this labour falls largely into the hands of *labour agents*, who make the necessary arrangements for transport. When the agent is trustworthy the system has considerable advantages, as he can greatly facilitate matters for his men on their way to the mines, and often acts as "a kind of protector and spokesman for his company."¹ "For their own sakes, as a rule," writes the Rev. J. S. Moffat, "labour touts, or agents, will keep faith with the natives, and are of great use in conveying batches of men with the minimum of inconvenience and suffering to themselves. For instance, a native who wants to go, say, five hundred miles to work at a mine will fare much better on the road as one of a party under convoy of a labour agent, than if he has to find his way alone and with no provision for the journey." A similar opinion is expressed by Mr. G. E. Dugmore, the Managing Director of the Indwe Railway Collieries and Land Company. "Labour agents," he says, "are also indispensable in getting together large gangs in the territories and seeing them conveyed to the companies for whom they are engaged; and when respectable agents are employed, the natives are fairly treated and looked after." The system, however, is liable to abuse, and many labour agents appear to be men of inferior character and bear an ill reputation. "Generally speaking," says a leading employer of labour in the Transvaal,² "the native

¹ Rev. W. Dower, minister of Native Church, Port Elizabeth.

² Mr. H. W. Miller, Vice-President of the Association of Mine Managers of the South African Republic.

agent, or 'tout,' as he is technically called, is an unmitigated fraud, and it has been the constant, but I regret to say so far unavailing, effort of the employers of labour to eradicate this class of men. An honest and impartial administration of the Pass Law by capable and conscientious officials, zealously watched over by the Government, will automatically dispense with these men, who have been a curse to the labour supply, and who have done more towards abnormally raising the rates of wages than any other circumstance in South Africa." "Contracts with labour agents," writes another correspondent,¹ "have hitherto proved everywhere unsatisfactory"; and this view is confirmed by the Coadjutor-Bishop of Cape Town. "I should certainly make no contracts," he says, "with agents of an irresponsible nature or native contractors. Contracts might be with the chiefs or with a Government agent, where there is a recognised labour bureau, or with individual natives."

Stringent measures are necessary to protect the natives against misrepresentations by these agents. "I have seen lots of agents," writes Mr. J. M. Pelem, "who came down to Queenstown and promised the natives from £5 to £6 per month to work on the surface in Johannesburg. The natives went up, and when they reached Johannesburg they were told they were going to work underground, and were going to be paid £2 per month; and when they protested, they were forced down as though they were a lot of sheep." In Cape Colony, Natal, and Rhodesia there has been useful legislation with regard to the licensing of labour agents and the protection of natives from fraud.² It is to be hoped that similar provisions will be enacted in other parts of South Africa,

¹ Mr. L. L. Michell, manager of colonial branches of the Standard Bank of South Africa.

² For particulars of these enactments *vide infra*, chap. vii.

as without efficient Government control the system inevitably leads to grave abuses.

In districts where the power of the chiefs and headmen has not yet been undermined by the influences of civilisation, contracts for the supply of men for labour purposes are usually made with them. Frequently also a headman accompanies his men to the mines, and acts as a sort of overseer and spokesman. "In all those districts," writes Mr. H. W. Miller, "where the missionary has not penetrated, and the rule of the chief is paramount under the old regime, it is in most cases preferable to make all contracts with the chiefs, as, when this is done, it is customary to send with each gang of natives hired a petty chief, who acts as overseer and arbiter in most of the disputes liable to arise between master and man. This system is a good one, as it gives strange natives more courage to venture forth from home, and, moreover, the native mind being thoroughly imbued with respect for the dictum of his chief, his decision in all these matters is absolutely final, and much trouble is saved to the employer. In the case of Christian natives it is better to make the contract with the individual." This view is confirmed by a communication on the subject from a native minister in East London¹ writing on behalf of himself and other educated natives. "It would be necessary," he says, "to distinguish between those tribes who are still under the authority and are amenable to the will of the chiefs, and those who have a large measure of individual freedom consequent upon the breaking down of the chieftainships. For example, the Tshangaans and all the natives in the Portuguese territory and the northern districts of the Transvaal, also in Basutoland, Zululand, and Pondoland; the influence of the chiefs over their people is a factor that cannot be ignored in contracting natives

¹ Rev. W. B. Rubusana.

for service. Again, in those cases where natives desire to be represented by the headman, as is frequently the case in the Colony, the headman cannot be ignored; and contracts entered into with such ought to be recognised, if legally entered into before the proper authorities. Such contracts are recognised, as well with headmen as with agents, by recent colonial enactments, which stipulate that agents or contractors must be guaranteed by the payment of licences before being allowed to act as such." Similar opinions on the question of contracting through the chiefs are expressed by the Rev. J. S. Moffat, Mr. L. L. Michell, Mr. G. E. Dugmore, Mr. W. E. Thomas, and other correspondents of the Committee.

Undoubtedly the system of contracting through the chiefs and headmen lends itself to grave abuses. It enables these men to gratify their rapacity at the expense of their subordinates; it militates against the growth of a healthy independence and spirit of self-reliance amongst the tribesmen; in some districts, moreover, it appears to be unnecessary. On these grounds many of our correspondents strongly urge that the system should be discouraged so far as is possible. "It is undesirable," writes Mr. John Hemming,¹ "to make contracts for labour with the chiefs, whose authority is not recognised in the Cape Colony; the same holds good with regard to agents or native contractors. The individual native is quite alive to his own interests, and would much rather be dealt with direct." The same view is expressed by the Rev. Brownlee Ross. "It would be a mistake," he says, "to make the chiefs contractors, because (*a*) they would, as a rule, take every opportunity of oppressing the people and making undue profits; (*b*) the establishing of such a system would tend to increase the power of the chiefs, and this, as a rule, has been used against all true progress." "I strongly

¹ Civil Commissioner for the division of Albany.

deprecate," writes Canon Woodrooffe, "encouraging any chief or headman to contract for a supply of native labour. He will use the occasion for his own profit and fleece his people. Nobody is so hard upon the black man as his brother black man ; especially if the latter is a headman whose wits have been sharpened by a little so-called education. I speak from experience, with instances in my mind as I write. Moreover, the natives themselves do not like the contract system ; they prefer to go to the mines and look for work for themselves."

It does not, however, seem practicable to absolutely prohibit the system of contracting with chiefs and headmen in districts where their authority is comparatively unimpaired. It no doubt often leads to injustice to individual natives, but to this danger they are exposed wherever tribal authority is abused. Nevertheless, there is much to be said in favour of the policy of encouraging the practice of making contracts with individual natives wherever it is possible to do so.

It is noted that, as a rule, contracts work best when entered into at the scene of employment rather than at a distance. "Contracts made previously to the arrival of the native at the scene of labour," writes the late Bishop of St. John's, "are of very doubtful value. Perhaps where a tribe is being newly introduced to work at a distance from home, it may be of value as an encouragement to the raw native. But the system is liable to such abuse, whether the labour agent be a white man, an ordinary native headman, or a chief even, that it will not long hold the confidence of the people. They will soon learn that it is better to go untied to any previous contract, and make their own bargain on the spot."

Whether contracts of service are made with chiefs or with individual natives, there is great need that they should be carefully supervised by properly qualified officials,

to protect natives from fraud and to see that they understand the terms of their engagements; and in all cases natives should be free to choose their own employers.

(c) *The Transport of Labour*

The cost and difficulty of obtaining labour, particularly for the Transvaal mines, has been greatly enhanced by the excessive fees paid to the Transvaal Native Commissioners and to agents for collecting and forwarding natives, and by the high charges made for transport. It has been estimated that the cost of obtaining and conveying natives from the Portuguese territories on the east coast to Johannesburg has been about £3 per man (including a charge of £1 6s. 10d. per man made by the Portuguese authorities for a passport),¹ and up to the present it has been practically impossible to take effective measures to keep down these initial expenses. There have been many complaints also of the insecurity of the natives on their way to and from the industrial centres. Frequent cases of ill-treatment and robbery are cited, and in the Transvaal the pass system has afforded an opportunity for official tyranny and exaction of which the natives have been constant victims. In view of the fact that so large a proportion of the labour employed in the mines and other industries of South Africa is drawn from great distances, one of the most pressing requirements of the future is the provision of better and cheaper facilities for transport. The expense of the journey to Johannesburg has been a serious obstacle to natives living in distant districts; and in some cases they have had to pawn their cattle to raise the necessary money. It is suggested that a system

¹ See evidence given by Mr. G. Albu and Mr. C. S. Goldmann before the Transvaal Industrial Commission, 1897.

of reduced fares might be arranged to meet this difficulty.¹

There is need also of further provision for the safety and accommodation of natives while on their way to and from employment. "They often have a long way to come," writes Mr. J. B. Robinson,²—"1,600 miles sometimes—and the journey presents great difficulties. One of our constant complaints against the [Transvaal] Government has been that the mine managers were not allowed to make proper arrangements for these journeys. Natives can and will walk the distance in sufficient numbers, but they need halting and feeding places; the mining community have long wanted to establish, at their own expense, a system of rest-houses where shelter and food could be got, at distances, say, of half a day's journey, but the Government have persistently refused to allow it." Mr. Donald Strachan suggests that "road-side shelters should be provided at the different magistracies and along main roads, . . . and better treatment whilst travelling by rail."

(d) *The Treatment of Labourers*

"In considering the question of the well-being of the natives employed by mining industries in South Africa," writes Mr. Lionel Phillips, "it should be borne in mind that, apart from any sympathetic and kindly feelings which employers might have for the natives, and which I believe those who control the large enterprises entertain towards them, the successful working of those enterprises is bound up with good treatment of the natives, inasmuch as neglect or rough treatment results in the labour becoming

¹ It is understood that this is already done on the Cape Government railways.

² Article in *The Contemporary Review*, October, 1900.

disorganised and inefficient, and in the supply at the particular place where such ill-treatment is permitted not being equal to that at the places where greater wisdom is exercised." It is to be feared, however, that not a few employers are blind to these wise considerations. There are too many instances of ill-usage of native employés. "The Kafir," writes one of our correspondents,¹ "does all the labour, and the master the swearing and flogging, so that labour is looked on as degrading, and 'poor whites' will often rather starve than do the work usually done by Kafirs." Misunderstandings between two races imperfectly acquainted with one another's language and modes of thought, and the provocation no doubt given by the inconstant and undisciplined habits of the natives, may account for much. There can be no question, however, that they are often treated with severity and lack of consideration as unjustifiable as impolitic. The reports of some of the civil commissioners and magistrates and inspectors of locations indicate that the scarcity of labour on certain mines and railway works is largely due to the strong objection on the part of the natives to go to them, owing to the ill-treatment they or other natives have received, and to uncertainty with regard to the honest payment of wages. Thus Mr. H. F. Hewett, the Civil Commissioner for the division of Bedford, states in his report for 1898²:—

"Natives are complaining bitterly of the treatment they receive at the railway works, as there is no security to them of their wages. They state they are hired by contractors, who employ them on piece-work; and when they have worked some two months or more, these contractors disappear without paying their men, and consequently great injustice is done to the natives, and this must necessarily have a disastrous effect upon the labour

¹ Miss P. M. Darton.

² *Blue Book on Native Affairs*, 1899, p. 14.

market unless checked ; there appears to be a loud outcry amongst the natives in this respect."

"I regret to say," writes Mr. G. W. Barnes, the Protector of Natives at Kimberley, in his report for the same year,¹ "that the natives working in some of the mines are not treated as well as they might be ; not that there are any complaints of cruelty or violent treatment, but great dissatisfaction is apparent and declared on account of the non-payment of wages. I have had several cases brought to my notice during the past year of most glaring injustice with respect to the natives' wages, and this in the case of large gangs of labourers, and it is no wonder that from these mines there is such a cry of shortness of labour. . . . A compound manager, in sad perplexity, a short time back, declared that he was at his wits' end and did not know what to do for boys, as his best boys were being driven from the works. . . . There is no scarcity of labour in either the De Beers or Kimberley mine. There is no necessity to send Zulu guards to knock the boys about in order to get them to go to work ; indeed, the difficulty at times is to keep them back."

The Rev. David Carnegie in his report in reference to the native administration of the British South Africa Company, writes ² :—

"A proud and hitherto unconquered Matabele cannot be turned in a month, or a year, into a useful servant by kicks, shamboks, and blows. You cannot civilise him by quarrelling with him a few days before his pay is due, by stoning or unjustly beating him, by cursing him for not understanding an order given in English, by being too kind to him. Let it be abundantly understood that none of these charges can be brought against many employers, but there were those guilty of such acts, and under the system of Government labour supply the natives were unable to choose their employers. There are many details connected with the treatment of natives, personally known to myself, which prove conclusively that the wrong men were often chosen for handling such raw material, both in the mines, on the farms, and in the Government service."

¹ *Blue Book on Native Affairs*, 1899, p34.

² *Report by Sir R. E. R. Martin, K.C.M.G., on the Native Administration of the British South Africa Company*, p. 32.

The reports in the Blue Books on Native Affairs show that in some districts there is a marked reluctance on the part of the natives to seek employment in the Transvaal mines, owing to the ill-treatment they have received on the way to the mines or while at work; and Mr. Lionel Phillips, speaking from his extensive experience as an employer of labour in these mines, expresses his opinion that there would be far less difficulty in obtaining an ample supply of labour if the natives were well cared for. Information with regard to bad treatment, writes the Rev. Dr. J. Stewart, "spreads like wildfire, and acts as a constant barrier."

Speaking generally, the evils of the truck system do not seem to exist on a large scale. In most districts the natives seem pretty well able to take care of themselves in this respect. These evils cannot, however, be said to be altogether absent. Some subcontractors on railway works are stated to have been in the habit of establishing shops at which their employés are required to make their purchases. Farmers, too, are said frequently to supply requisites to their hands. A particularly objectionable form of the system prevails in the wine-farms, on which it is usual to pay part of the wages in wine or brandy.

The efficiency of the native labour at Johannesburg has been greatly impaired by the sale of intoxicating liquors. It has, indeed, been estimated that no less than 25,000 of the natives employed in these mines were daily incapacitated for work from this cause alone.¹ On account of the demoralisation that results from the sale, missionaries are often loath to advise natives under their influence to seek work at this centre, and the notoriety it has unfortunately earned in this respect probably has a serious effect in checking the supply of labour.

¹ *Vide* letter from the Rev. C. Phillips to *The Daily News*, April 10th, 1900.

(e) Increasing Demand for Labour.

There is no doubt that the extraordinarily rapid development of the gold-mining industry has caused a demand for labour in the mines which is still considerably in excess of the supply. In some parts—*e.g.* in Matabeleland—the local population is altogether inadequate to provide the labour required by the mine owners. In other districts, where the population is ample to meet local needs, the natives do not always take kindly to the life of the miner. This is peculiarly the case in Mashonaland, where the reluctance of the natives to accept employment in the mines has given rise to considerable difficulty, and is causing the importation of a large amount of native labour from other districts. With the view of promoting immigration for this purpose, land has been acquired by the Government for the establishment of Fingo settlements, and it was hoped that the Fingoes would move into the country in considerable numbers. Recently a scheme for importing Chinese labour has been under discussion, but appears to have fallen through. The Select Committee appointed in 1899 to consider the system of native administration in Southern Rhodesia, reported that—

“it was shown that in Mashonaland, with a population estimated at 300,000, of whom approximately 60,000 to 70,000 are male adults, the greatest difficulty was experienced in obtaining the services of 4,000 or 5,000 men for remunerative work. The statistics of the Labour Bureau for the eleven months since it commenced its operations show that out of 5,300 boys who passed through the Bureau, one-half were obtained from countries beyond the borders of the territory. The cost of obtaining these boys was estimated by the witnesses at from 15s. to £2 a head, while the cost of obtaining our own natives is practically nothing. The Labour Bureau of Mashonaland and the Chamber of Mines of Matabeleland find it necessary to send agents to Northern Zambesia to bring down large

numbers of boys, not only for the reason that sufficient labour cannot be obtained in the territory, but that even when such labour offers, it is only for such short periods as to make it practically useless. It was shown that the natives from Gazaland, Zambesi Valley, and Northern Rhodesia are willing to enter into contracts to work for considerable periods, in no case less than three or four months, while the natives of the country, even though they may enter into contracts for two or three months, except in rare instances, scarcely ever remain for more than one month."

The Mashona, however, does not appear to be incapable of becoming an efficient miner; and the same report records that—

"it was stated by all the witnesses that when the Mashonas are willing to work for longer periods, they become quite as efficient as the boys from outside the territory, and, if some means of inducing them to work for such periods could be devised, the mining and farming industries would prefer to employ them rather than natives from outside."

This Committee drew special attention to the danger that by the introduction of more efficient foreign labour the Mashonas would be deprived of the opportunity of obtaining employment, and that in the event of a failure of their crops they might find themselves helplessly destitute. To meet the difficulty the Committee urged that "means should be adopted to induce them to replace their present slothful habits by habits of industry," and were of opinion that the imposition of more effective taxation would be beneficial.

In some parts, notably among the Zulus, Basutos, and Matabeles, and some of the natives of the Transkeian territories, there is a marked dislike to underground work, which in these districts increases the difficulty of obtaining labour for mining purposes. It would seem that this distaste for going underground is sometimes treated with too little consideration by mine owners, and it is to be

feared that in some cases undue pressure has been put upon the natives to get them to do this kind of work.

(f) Measures to increase Labour Supply

It is impossible to foresee to what extent recent events will lead to further, and possibly rapid, developments of the mining industry in the Transvaal. It may well be that the not distant future will see a growing demand for native labour, taxing the available supply to the utmost. If this be so, the problem how to provide an adequate supply of better and cheaper labour will shortly become even more serious than it has been in the past. It is hardly likely that measures of direct compulsion will be resorted to; but it is more than probable that attempts will be made to put some further pressure on the natives to induce them to seek work at the mines, by means of increased taxation. This policy was approved by several representatives of the mining interest in their evidence before the Transvaal Industrial Commission of 1897; and at a meeting of the British South Africa Company in December, 1899, Earl Grey advocated the imposition of a hut tax of £1 per hut as an incentive to labour, and the establishment (with the permission of the Imperial authorities) of a labour tax which able-bodied natives who were unable to show a certificate of four months' work should be required to pay. A labour tax of this kind is already in force in certain districts of Cape Colony, under the provisions of the Glen Grey Act. By this Act it is provided that—

“every male native residing in the district exclusive of natives in possession of lands under ordinary quit-rent titles, or in freehold, who in the judgment of the resident magistrate is fit for and capable of labour shall pay into the public revenue a tax of ten shillings per annum: Provided that upon any native satisfying the

resident magistrate that he has been in service or employment beyond the borders of the district for a period of at least three months during the twelve months preceding the date on which the said tax is payable, such native shall be exempt from payment of the tax for that year; and provided further that such native shall become exempt from any further payment of such tax so soon as he shall have satisfied the resident magistrate that he has been in service or employment beyond the borders of the district for a total period, consecutive or otherwise, of not less than three years."

The Act exempts members of location boards and district councils from payment of the tax during their term of office, and it empowers the resident magistrates to grant exemptions to natives unable to leave their locations, or who have been in service or employment within their locations for the prescribed period of three months. The proceeds of the tax are to be devoted to the establishment and maintenance of schools for the education of the natives in trade and agriculture.¹ It would appear, however, from the taxation returns and from the replies received from our correspondents, that the tax under this Act is almost inoperative. Nevertheless, it seems to be viewed with disfavour by the natives, and is probably an obstacle in the way of the extension of the Act to new districts.

A more direct form of compulsory labour exists in Natal. Under the Native Code the Governor, as supreme chief, is empowered to call upon all natives to supply labour for public works or for the general needs of the colony, and to fine and imprison them in case of disobedience.² This power is exercised to a considerable extent, and the magistrates are officially instructed to require the chiefs to provide men for work on the roads. The usual wages paid for this work appear to be about

¹ Act 25 of 1894, part iv.

² *Code of Natal Native Law*, part i. chap. i. sects. 36, 38, and 39.

15s. per month and rations. The reports of the magistrates show that this compulsory labour is greatly disliked by the natives, and that it has at times to be enforced by severe measures.

It would also seem from Sir R. E. R. Martin's report on the native administration of the British South Africa Company that measures of a compulsory nature for obtaining labour have in the past been resorted to in Rhodesia. In this report he stated that he had come to the conclusion: (1) "That compulsory labour did undoubtedly exist in Matabeleland, if not in Mashonaland. (2) That labour was procured by the various Native Commissioners for the various requirements of the Government, mining companies, and private persons. (3) That the Native Commissioners in the first instance endeavoured to obtain labour through the indunas, but failing in this, they procured it by force." The British South Africa Company, however, in a letter published along with the above report, denied the use of physical force in obtaining men, and contended that this was not implied in the term "compulsory labour" used in the reports of the Native Commissioners. We have failed to obtain satisfactory evidence as to the use of compulsory measures in Rhodesia at the present time, but we are informed by the Chief Native Commissioner of Matabeleland that all measures of direct compulsion are absolutely forbidden, both by the Imperial Government and the Government of that country.

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In some cases prisoners in native wars have been condemned to forced labour on farms and mines in Cape Colony and Natal. Many of the Bechuanas were thus treated after the war in 1895-6, and it appears that prisoners taken in the Zulu War are still, or were until recently, at work in the copper-mines of Ookiep.

We have collected a number of opinions on the

question of "compulsory" labour from persons in South Africa, representing widely differing points of view. We have consulted Government officials, missionaries, employers of labour, educated natives, and others. Our correspondents are practically unanimous in condemning any direct form of compulsion. Some of them advocate indirect measures, such as increased taxation, to induce the natives to work. The members of the Centenary Mission, near Bulawayo, for instance, suggest that an extra tax should be imposed on "every able-bodied man that cannot show a certificate of three months' work done for some employer during one year." The Hon. John Tudhope also takes this view :—

"The enforcement of a mild measure of taxation," he writes, "which is practically an encouragement to industry and a prohibition of idleness, is one which should be supported, and it is as far as we can safely go in this direction. I am opposed, both on theoretical and practical grounds, to any compulsory measures resembling a *corvée*. They are indefensible in theory and break down in practice. They lead to enormous abuses in administration, giving rise to the practice of a species of terrorism by the officials, natives or European, who carry them out; and to evasion, deceit, and defiant resistance on the part of the natives."

A similar opinion is expressed by the Rev. E. J. Barrett :—

"At one time I should have expressed a strong opinion against the labour clause of the Glen Grey Act, but my return to the Transkei has rather changed my view. I understand that the people of Fingoland, under Veldtman and others, find the Glen Grey Act suit them well, and the state of affairs in Pondoland makes me inclined to the opinion that, for a time, a little gentle pressure to make the young men go away to work might be useful; in the long run I have no doubt the law of supply and demand will equalise matters. I should now be in favour of the extension of the application of the Act to any part where the natives would agree to it."

On the other hand, it is pointed out with much force that there is no reason why a labour tax should be imposed on the native when the "poor white" is exempted, and that if the native's need to labour is slight, the true remedy is to increase his requirements by the stimulus of education and the introduction of higher standards of living. Moreover, with the increase of population and the growing scarcity of land, the inducements to seek employment are becoming stronger year by year. The gradual introduction of individual ownership, by depriving the young tribesman of his right to a lot of arable land on marriage, makes it more and more necessary in some districts for natives to seek work in order to marry. In spite of racial prejudice, education is making headway, and the natives are rapidly acquiring new wants and responding to new incentives to labour. Thus, potent forces are at work to increase the already large supply of native labour, and the efficiency of that supply could even now be enormously enhanced by the prohibition of the sale of alcoholic liquors and the provision of technical education. How far this supply will prove equal to the future demand it is impossible accurately to foresee. There seems, at any rate, good ground for hesitating to burden the native communities with heavier taxes than are already imposed upon them¹ for the express or thinly disguised purpose of lowering the wages of natives, and compelling them to comply with the requirements of their white employers. It is not surprising that employers whose undertakings are crippled for want of labour should invoke the authority of the Government for the more rapid solution of the problem. Legitimate assistance in collecting labour the Government, moreover, can, and often does, properly give. Thus the Colonial Governments have in various ways assisted the

¹ For particulars of the taxes paid by natives, *vide infra*, chap. xii.

migration of native labour to the mining centres. In the native territories of Cape Colony the magistrates facilitate the collection of men by making the necessary arrangements with the chiefs, and several Government depôts have been provided for the accommodation of natives awaiting employment. The Transkeian General Council is directed to receive applications for native labour from contractors and others, and to arrange for supplying men and for despatching them to the districts where their services are required. It is in the power of the Governor to frame regulations for the registration by the Council of persons fit for and capable of labour.¹ Assistance of this kind is of great value, both to employers and to the natives themselves. But that Government should go further and should put pressure on the natives to enter the service of white employers appears to us altogether unjustifiable. It involves an exercise of Government authority in a matter that can best be settled by the working of economic laws; and the burden of proving the necessity of such a policy rests on the shoulders of those who advocate it. The following passage from the report of Captain the Hon. A. Lawley, the Deputy Administrator of Matabeleland, for the year ending September, 1898,² puts the question in a nutshell: "I held, however," he writes, "and still hold the opinion that the introduction of a system of State interference in matters which should be the subject of private contract and enterprise would be a dangerous innovation, and that it is no more incumbent upon a Government to furnish native labour to the mines than it is to furnish white labour or supplies for the mines or for the country at large."

¹ Proclamation 352 of 1894, sect. 31.

² *Report on the Administration of Rhodesia*, 1897-1898, p. 108.

(g) *Suggestions for the Organisation of Labour*

Some practical suggestions with regard to the better organisation of the labour supply and the protection both of natives and employers are made by our correspondents. Mr. Lionel Phillips writes in reference to the mining industry: "Whilst I am entirely opposed to any system of compulsory labour, I think that both in the interests of the native tribes and of the development of the country, it would be well, when the new administration is thoroughly established, that a Native Labour Bureau, if not controlled by, at least subject to the supervision of, the Government, should be established, similar to the Labour Departments existing in other parts of the British Empire." A native labour bureau was established by the Salisbury Chamber of Mines in 1898, and is said to be working satisfactorily.

For the convenience of employers, native correspondents of the Committee advocate a scheme of registration, especially with regard to domestic and general servants in towns, and they express a doubt whether "registrations will not be required as a protective influence against the numerous faults of servants and labourers in general in all departments of service or employment."

In reference to the means to be adopted to encourage habits of industry among the natives and to increase the labour supply, the Hon. John Tudhope writes as follows:—

"As to practical means to insure this end, in addition to the establishment of a large scheme of industrial and technical schools, I strongly advocate the following:—

"(1) The formation of labour bureaux, subject to Government control, in all the chief centres of native population; (2) the registration at these bureaux of all contracts between white men and natives; (3) the cheapening of the means of travel by rail of all labourers going to and returning from their work; (4) their protection while so doing by labour certificates, not passes; (5) at the centres

of industry, such as mines and public works, the appointment of a Government official, with the status of a justice of the peace, to inquire into and settle all disputes and differences which may arise, it being understood that he is to protect the white man's rights as well as the black man's freedom of contract ; (6) absolute prohibition of liquor selling to the natives, and heavy penalties on the breakers of the law ; (7) where the compound system is adopted, their inspection by Government officers.

"The native labour question for the gold-mines of the Transvaal is one which has long occupied the attention of the companies interested, and the Chamber of Mines made many praiseworthy efforts to solve it. A great deal was done in the way of providing better quarters for the labourers and attending to their health and comfort. The Boer Government gave but little encouragement to these measures, and quite failed to protect the natives from depredation on their way back to their own country ; and the elaborate pass system was a failure from lack of a sufficient police force to carry it out. Now that the country has passed into British control, I trust and believe that this will be all changed ; and while it is quite true that it is no part of the business of Government to find labourers for the mines, it is, I take it, within their duties to protect the natives and see that the regulations adopted by the mines are reasonable and lawful.

"I am glad to say that the leading mining companies have at last succeeded in forming an association for the purpose of regulating the labour supply for the Witwatersrand, and the following are the objects which the company have set before them :—

- "(1) To procure, supply, organise and regulate, for the mutual benefit of its members, Kafir and other labour (exclusive of European labour) for the mining and other companies upon the Witwatersrand and other districts in the Transvaal colony.
- "(2) To supervise the employment of labour by its members, and to inspect the provisions for the housing, treatment, and feeding of the employés of its members.
- "(3) To assist in and promote the formation of a Government Native Labour Department, or Bureau, which shall give Government control to the collection of natives within the borders

of the Transvaal colony, and generally to the supply, regulation, importation, exportation and distribution of native labour in the Transvaal and other portions of South Africa.

“(4) To facilitate, organise, supervise and protect the travelling within the Transvaal and elsewhere of all natives and other labourers voluntarily proceeding to the various working centres of the Transvaal.

“(5) To organise, form and regulate such locations, depôts, and bureaux for natives and other labourers in the vicinity of the various working centres of the Transvaal and other portions of South Africa as the laws and Government may allow.

“The scheme has been submitted to the High Commissioner, and has elicited from him general expressions of approval. He says that, so long as the association conforms to the regulations he proposes to adopt with regard to native labour, no official sanction will be required.”

In regard to labour supply, there is much that calls for energetic action on the part both of the Imperial and Colonial Governments. Large bodies of natives yearly travel long distances in search of employment along routes on which there are no facilities for transport or proper accommodation ; the conditions of labour are not always healthy or just ; and natives are too often exposed to fraud and ill-treatment. In these circumstances it is a matter of surprise that the labour supply is as large as it is. The removal of obstacles to the free flow of labour seems to claim the attention of the Governments before the consideration of any proposals for labour taxes.

One of the first steps should, in our view, be the establishment of labour bureaux at all industrial centres. The collection of labour, the supervision and registration of contracts of service, the providing of cheap means of transport and proper accommodation on the way, the protection of the natives in their employments, the establishment and supervision of suitable locations, the

improvement of the facilities for the deposit and transmission of the earnings of natives, and similar matters, might be included in the work of such bureaux. Branch offices could probably with advantage be established at the offices of the resident magistrates of districts. At such branch offices registers of men available for employment could be kept; from them information could be supplied to the central office; and facilities could be afforded for the collection of men through the chiefs. Some control might also be kept over the methods employed by the chiefs in providing men.

The Cape and Natal Governments have already established at Johannesburg labour agencies, to which the natives can come for advice and assistance, and to which they can bring their earnings for deposit or transmission. Possibly an efficient labour bureau would supersede these offices; but, in the meantime, more might be done with advantage to extend their operation. The magistrates, in particular, and other Government officials could render valuable service by informing the natives of the existence of these agencies, and by explaining their mode of operation and the benefits to be derived from them.

The "Protector of Natives" at Kimberley appears able to care for and assist the natives in many ways. Officials with similar duties might well be appointed at other industrial centres, and organised into a department.

In view of the preference of the natives for short terms of contract and their proneness to return home at certain seasons, it is worthy of consideration whether suitable locations or reserves, under capable Government inspectors, could not be established at reasonable distances from the industrial centres. Thus would be secured a less interrupted supply of labour; and, at the same time, the family life of the natives would be less broken up than it is now.

§ 2. OCCUPATIONS AND WAGES

Complete statistics with regard to the distribution of natives amongst the various industries and occupations in which they are engaged, or as to the current rates of wages, are not available. We are indebted to our correspondents in South Africa for much of the following information.

(a) Mining

Of the employments in which the natives are engaged away from their locations and farms, the mining industries are the most important. According to the returns furnished by 86 mining companies, 88,627 natives were at work in the Transvaal mines on December 31st, 1898, at the average rate of wage of about £2 9s. 9d. per month. For the Witwatersrand mines a schedule of native wages was adopted at a meeting of the mining companies in May, 1897, varying from 1s. a day for drill-packers to 2s. 6d. a day for wet shaft boys (when developing), station boys, stokers, blacksmiths' boys, and others.¹ Mealie rations are supplied at these mines, and in some cases meat is given once or twice a week. Rough accommodation is also provided. The above rates of wages are apparently not rigidly adhered to, although the companies have endeavoured to keep to them as far as possible. The mine owners regard them as considerably too high, and efforts have been made to reduce them by about a third. According to the report of the Transvaal Industrial Commission of Inquiry (1897), the number of natives required for the Witwatersrand mines was then estimated at 70,000. It was anticipated that this number would be increased to 100,000 within the next three years. For this supply the Commissioners

¹ See Statement B, at the end of this chapter, for schedule of wages.

looked mainly to the Portuguese territories on the east coast and to the Transvaal itself. The rough underground labour at these mines is largely supplied by the natives coming from the north, and the Portuguese territories on the east coast. The southern natives are extensively employed on more skilled surface work.

The average number of natives daily employed at Kimberley by De Beers Consolidated Mines, Ltd., during the year ending June 30th, 1898, was stated in the company's report for that year to be 10,378; and there were said to be some 11,211 natives in the company's compounds at that date, including 1,055 convicts employed on the floors. This company does not seem to experience much difficulty in obtaining the native labour required in its mines. The average rate of wage at these mines appears to be about 20s. or 21s. per week, with lodging. The labourer finds his own rations, which he can do for about 1s. a day. Skilled workmen can earn 5s. a day, with extra pay for overtime and Sunday work. It is stated that some natives in these mines earn £10 a month. The average daily number of employes at Premier mine, Kamfersdam, St. Augustine's, and Otto's Kopje mines in 1899 was 2,887, of whom 2,579 were coloured. The average number of employes in the copper-mines of Namaqualand in 1898 was returned at 1,769, and in the coal-mines of Albert, Queenstown, and Wodehouse in 1899 at 2,986, of whom 143 only were whites. The average number of men employed in the producing collieries of Natal in 1898 was 2,723. Of these 1,753 were natives, 854 Indians, and 116 Europeans. The number of persons at the mines which were not outputting was not accurately known. The average rate of wage in the Dundee mines appears to be about £2 10s. a month.

In Matabeleland there were, in September, 1898, 10,345 natives in the employment of Europeans, many of whom

were at work in the mines. The Chief Native Commissioner in his report for the previous half-year stated that it was then estimated that about 1,000 more were needed to meet the demand, and that it was anticipated that, as the various mines were opened up, double the number would be required in the next year. The average monthly wage in these mines is stated to be £1 10s., with food and quarters.¹

(b) *Farming*

The agricultural labourers on the South African farms are almost all natives or coloured people, very few whites being employed in this capacity. The usual remuneration for these labourers is from 10s. to (in some districts) 20s. a month, with rations and sleeping accommodation, and sometimes pasturage for a few head of cattle. The rations consist of mealies, with, in some cases, milk and meat two or three times a week. In some parts wages are largely paid in stock; and on the wine-farms in the Western Province of Cape Colony labourers are nominally paid about 2s. a day, but half of this is often paid in wine—a practice which is undoubtedly very mischievous. In some districts of Cape Colony a system of produce-sharing prevails on the farms, and wages are seldom paid. In such cases the natives are allowed to squat on their employer's land, in return for a share, sometimes amounting to as much as a half, of the crops from the land allotted to them. They also do the necessary manual work on his farm. On the northern frontier young men sometimes work for rations, and receive a heifer (worth about £3) at the end of a year. Natives living on private lands frequently pay rent for their huts, varying from £1 to £5 a year, and, where a

¹ See Statement B at the end of this chapter.

low rent or no rent at all is paid, they usually contract to supply labour on the farm. In Natal employment as farm labourers does not seem to be popular among the natives. "Comparatively few natives," writes one of the Committee's correspondents,¹ "are engaged on the farms, perhaps not 5,000 in all, whereas somewhere about 25,000 or more coolies must be so occupied; and this despite the fact that agricultural employment is that most naturally suited to a pastoral people, while mine labour is, without any doubt, eminently injurious to them physically, and town life a source of moral corruption from which but few who go there escape. . . . The prohibition of all native boys *under twenty* years of age going to work outside of Natal, would be a wise measure, beneficial in many ways to the up-growing young native, profitable to Natal's own industries, and a much-needed relief to the farming community." In the Transvaal and Orange River Colony, as well as on Dutch farms in Cape Colony, farm labourers frequently give their work in return for leave to settle on the farms; in some cases they receive further remuneration in the form of a small wage or a payment in cattle at the end of the period of service.

"The Dutch plan in the Free State, Transvaal, Karoo, and Colony, and, I believe, also Natal," writes Miss P. M. Darton, "is to hire a Kafir family and give them a hut. They then all work usually for three years on the farm. At the end of that time the Dutchman ought to pay in cattle, and the family should be free to leave. If the farmer is honest and kindly he often has families for generations on his estate happy and prosperous; but unhappily the majority of Boers do not behave honourably. A very common practice is to quarrel with the Kafir just before his wages are due, and then to beat him severely, so that he runs away without being paid. The Dutchman is very fond of flogging his Kafir with a

¹ The Rev. D. Bryant, Ebuhleni Mission, Zululand.

shambok (raw hide). I have seen it done because a lad of fifteen let some cattle stray a little way up a hill."

The same correspondent gives the following example as an instance of the working of an English farm in the Orange River Colony:—

"In the conquered territory an English gentleman has a large estate; he has six Basuto 'families,' lent him by a chief in Basutoland. As one man has seven wives and forty grandchildren, the six 'families' make up three little kraals. Mr. — gives to each man lands; these the wives till, and the Kafir corn and mealies they use and sell. They also have flocks and herds on their lands. They build their 'rondavles' in groups, and Mr. — gives them trees if they care to plant them. The men get 1s. a day for working on his estate; the women do washing, cleaning, and some gardening, and are paid nearly as well. All the natives in his employ are prosperous and happy. Mr. —'s six families come every year to ask for changes of land."

A correspondent, writing from Natal, draws attention to the difficulty farm labourers in remote districts experience in obtaining redress for ill-treatment.

"There is one difficulty," he writes, "which is quite insuperable in the farm question: many farms are thirty or fifty miles distant from the nearest magistrate or police station. On these farms, if a master is cruel or unjust, the niggers have a bad time; but I believe such cases are rarer than is supposed, and occur as often with English farmers as with Dutch. . . . When these cases occur in remote districts, no judicial remedy is applicable; but the Kafir may avenge himself by putting arsenical sheep-dip into the morning coffee."

The drain of labour to the mines and railways, and the attractions of higher wages and lighter work in the towns, have caused a great scarcity of farm labourers in some districts, and in consequence there are many complaints by farmers of the difficulty of getting men to work for them. The native custom for the women to do the hard work in the fields may cause a prejudice against

agricultural labour amongst some of the natives ; but the low rates of wages usually offered by farmers, and the bad reputations of certain employers, are probably the main causes of this dearth of labourers. "There is not the slightest difficulty," writes a correspondent from Grahamstown,¹ "in obtaining native labour for fair wages, either in towns or country. Farmers who pay their servants well have again and again testified that they have not any trouble in getting servants." "So far as I am aware," writes another correspondent,² "there is no difficulty here in procuring native agricultural labourers, wherever there is a fair remuneration given, and when the master is human-hearted. . . . My experience is that the natives as a whole are quite willing to work if there is the prospect of a fair remuneration. Indeed, many have come to me begging me to give them work to do."

"The farmer complains," writes Mr. L. L. Michell, "that he has to pay year by year more for native labour, owing to the superior attractions offered by the mines ; but there is significance in the fact that many a farmer obtains all the labour he requires on his own terms, while his neighbour can with difficulty get labour at all. It is true in Africa, as elsewhere, that the master makes the servant. I have no doubt that, if the Transvaal Labour Laws were reformed and justly administered, the competition complained of would almost cease. Thousands of natives now idling in reserves would come to work, if well treated to and fro ; and though the younger men would still, as in Europe, go far afield, their seniors would remain on the soil in sufficient numbers to meet the demand."

Mr. J. M. Pelem draws attention to the abuses arising from the insufficient wages and rations given by farmers.

"The farmers," he says, "must pay their servants more than 10s. per month. They must give their servants good food. What I call good food for a raw native is

¹ Rev. S. J. Helm.

² Rev. R. Howison, Hankey Mission Station.

meat, mealies, and milk. Some farmers don't give their servants meat, and even those who do don't give them enough. . . . It is an impossibility for a native who does not get sufficient meat ration not to kill for himself out of the sheep he is looking after. When a native is found killing one of the sheep he is herding, he is arrested and arraigned before a magistrate, and there charged with theft, and when found guilty he is sentenced to twelve months' hard labour, sometimes with twenty-five lashes. This sheep-killing by the shepherd who does not get enough meat ration will always be done, and the punishment will never stop it."

The same writer lays stress on the need for better accommodation on the farms. "Were the Government," he says, "to send an inspector to visit every farm to find out how the servants were housed, most of the farmers would be ashamed of themselves."

(c) *Domestic Service and other Occupations*

Many natives and coloured people find occupation in domestic service. In Cape Colony the average wage for males is stated to be £1 1s. 2d., and for females 13s. 4d. a month, with board and lodging.¹ The remuneration, however, varies greatly; many servants in the towns, no doubt, earn much more. A black coachman, for instance, will sometimes receive as much as £5 a month, with food and shelter. In the Transvaal the supply of native labour for domestic purposes is said to be ample, but the rates of wages are high: natives employed as domestic servants frequently receive from £3 to £5 a month, and in exceptional cases from £6 to £9. In Natal from 30s. to £2 a month, with mealie rations, is said to be a usual wage for a good kitchen "boy," or from 10s. to 20s. a month for a housemaid. Female servants, however, expect better food than the men.

It is impossible to specify in detail the various other

¹ See *Statistical Register* for 1899.

forms of work in which the natives are engaged. Practically, wherever rough manual work is required, whether in the making of roads, bridges, and railways, or in other occupations, such work is done by natives. Their wages are usually from 2s. to 3s. a day.

(d) *Indian Labour in Natal*

In Natal the difficulty of obtaining satisfactory native labour has led to a considerable importation of Indian coolies to supply the labour required on the farms and sugar-plantations, and in other industries. These Indians are usually indentured for five years at a monthly wage of 10s., with rations, for the first year and with a small increase in each year. In 1898 about 3,600 of these immigrants arrived in the colony, exclusive of women and children, and there were applications for many more. Many find employment on the estates in the coast districts, but a considerable number are engaged on farms, collieries, and railways in the interior of the colony. In the colder parts, and especially in the colliery districts, they suffer from the change of climate, and the mortality amongst them is said to be high. The Government, however, has taken steps to secure better accommodation, food, and clothing for them; and in some cases when employers had refused to comply with the official regulations with regard to these matters, contracts have been determined by the Governor, and the men assigned to other employers. On the determination of their indentures, many of the Indians rent land on the coast and cultivate mealies, tobacco, beans, and other produce; others are employed as servants at wages of from £1 to £1 5s. per month, with rations; and a considerable number find their way to the gold-mines and other places outside the borders of the colony. The Indians resident in Natal are said

to form "an enterprising, prosperous, and orderly section of the community."¹

(e) Comparison of Wages paid to Whites and Natives

Although the natives are mainly engaged in work requiring little skill, they are not incapable of attaining to higher positions. With the advantages of education, they are already beginning to compete with the whites as clerks and skilled artisans, and some of them earn good wages (*e.g.* a native carpenter in the native territories of Cape Colony can earn from 5*s.* to 7*s.* 6*d.* a day). It is clear that many of the natives can be taught to do skilled work; special attention was drawn to their capabilities in this respect in the evidence given before the Transvaal Industrial Commission of Inquiry, 1897.

As a rule, whites are not engaged in rough, unskilled work, and it is difficult to compare the rates of wages received by them with those paid to natives. Where the rates are comparable, it would appear that the white man can usually obtain from 25 to 50 per cent. more than the native for work of the same kind, and in some cases the difference is still greater. This disparity in remuneration, however, would seem to be much less in some districts than in others, and a correspondent,² writing from Port Elizabeth, states that "in these parts a coloured tradesman, if equally competent, gets wages equal to the white man. Quality of work rather than colour of skin counts"; and a similar statement would seem to be applicable to other parts of South Africa.

Where the work is of a rough character and the native has had some experience in it, he appears to be often capable of doing more than the white. Generally speaking, however, the native workman requires much

¹ Report of the Protector of Immigrants for 1898.

² The Rev. W. Dower.

more supervision than the white, and this to a large extent accounts for the difference in wage. It would appear also that, although his earnings are usually on a lower scale than those of the white, he is, as a rule, owing to his simpler mode of life, able to save a larger proportion of them.

Although there seems to be a feeling on the part of some natives that the wages of native workmen are still unduly kept down, the evidence shows that the rate of remuneration is steadily rising. Mr. W. H. Milton, the Acting Administrator for Mashonaland, says, in his report for 1897-8, that "where the wage for unskilled labour used to average 5s. to 10s., the average now paid by the mining companies may be stated as 15s. to 30s. a month."¹ "I may state," says Mr. S. H. Roberts,² "that the wages obtaining amongst natives at present, excluding agricultural labourers, has advanced during the past few years at least 100 per cent. The advance in regard to farm labourers is not so great, say from 50 to 75 per cent."

§ 3. SUMMARY

The chief material facts with regard to the native labour question may be briefly stated as follows :—

(1) The Bantus are primarily agriculturists ; under their national mode of life they have few incentives to work ; their traditions tend to make them despise it. When they seek employment, it is usually for short periods, and at seasons when they are not engaged in agriculture. Many of them show a strong dislike to underground work at the mines.

(2) Nevertheless, the growth of population and the awakening of new wants are causing a great and increasing number of natives to seek employment. Practically all

¹ *Report on the Administration of Rhodesia*, 1897-8, p. 103.

² Chief Inspector of Native Locations, Queenstown.

the rough manual labour of South Africa is done by natives, and, when trained, they often prove competent workmen, capable of skilled work.

(3) The rapid development of the mining industry has brought about an immense demand for native labour, which in some parts it is difficult to supply; and the drain of labour to the mines has caused considerable scarcity in other employments, and especially on the farms in certain districts.

(4) With the increasing demand for labour has come a considerable rise in wages. Employers are anxiously endeavouring to find methods of increasing the supply, and they show a disposition to appeal to the Government to put pressure on the natives by means of taxation.

(5) Potent forces are at work tending to steadily increase the labour supply. Population is growing; the spread of education awakens new wants; and the example of the natives who seek employment and return home with substantial earnings is an incentive to others to do the same. In the working of these forces the most satisfactory solution of the labour problem is likely to be found. Any measures (whether by the importation of cheap labour of a lower grade or otherwise) which would neutralise the action of these forces are to be deprecated.

(6) Owing to the system of short contracts of service, there is a constant flow of native labour between the native territories and reserves and the industrial centres. Much might be done to lessen the risk and difficulty of these journeys. Better accommodation might be provided on the way, and confidence infused by guarding natives against fraud and ill-treatment.

(7) Government labour bureaux might be established for the purpose of organising and supervising the supply of native labour; and its efficiency could be increased by technical instruction and the suppression of the sale of intoxicating liquors.

(8) There is no necessity for compulsion in any form; good wages and good treatment should suffice in the long run to induce the natives to work.

STATEMENT A

I.—STATISTICS OF LABOUR PASSES ISSUED TO NATIVES IN 1898 IN TRANSKEIAN TERRITORIES, NATAL, AND ZULULAND (FROM THE CAPE COLONY AND NATAL BLUE BOOKS ON NATIVE AFFAIRS)

	For Natal.	Cape Colony.	Orange Free State.	Transvaal.	Other Centres.	Total.
Tembuland Transkei . . Pondoland . . Port St. John's Griqualand East	4,234		4,147	18,302	34,351 (including Cape Colony)	61,034
Natal . . .	—	525	601 (including Basutoland)	16,386	37	17,549
Zululand . .	—	2	11 (ditto)	3,681	1	3,695
Totals . .	4,234	527	4,759	38,369	34,389	82,278

II.—STATISTICS OF LABOUR PASSES ISSUED TO NATIVES IN BASUTOLAND DURING YEAR ENDING JUNE, 1899 (FROM THE REPORT OF THE RESIDENT COMMISSIONER)

Object of Journey.	Number of Individuals.
Seeking Employment at Johannesburg . .	5,971
„ „ Kimberley . . .	1,096
„ „ Jagersfontein . .	4,494
„ „ Coal-mines (Cape Colony)	1,635
For the purpose of Farm and Domestic Service	24,175
Total Labourers	37,371

STATEMENT B

WAGES PAID TO NATIVES AND COLOURED PERSONS¹I.—AVERAGE RATES OF WAGES IN CAPE COLONY, 1898-9
(AS GIVEN IN THE STATISTICAL REGISTER)

Colony Proper (excluding Bechuanaland and Transkei).

FARM SERVICE, WITH BOARD AND LODGING, PER MONTH.

Overseers, Head Shepherds, etc.		Servants, Cattle Herds, and Shepherds.	
European.	Coloured.	European.	Coloured.
£ s. d. 3 0 9	£ s. d. 1 8 9	£ s. d. 1 7 8	£ s. d. 0 12 5

DAY LABOURERS, PER DAY.

With Food.		Without Food.	
European.	Coloured.	European.	Coloured.
s. d. 2 10	s. d. 1 4	s. d. 3 10	s. d. 2 5

DOMESTIC SERVANTS, WITH BOARD AND LODGING, PER MONTH.

Males.		Females.	
European.	Coloured.	European.	Coloured.
£ s. d. 2 11 10	£ s. d. 1 1 2	£ s. d. 1 8 1	£ s. d. 0 13 4

RENT, PER MONTH.

Labourer's Cottage.	Town Lodging.
£ s. d. 1 10 8	£ s. d. 2 14 0

¹ For further particulars as to rates of wages see *infra* pp. 260 *et seq.*

II.—TARIFF OF WAGES IN MATABELELAND (FROM REPORT OF CHIEF NATIVE COMMISSIONER, 1898)

	Per Day.		Per Month (30 Days).	
	<i>s.</i>	<i>d.</i>	£	<i>s.</i> <i>d.</i>
Wet shaft boys, stokers, rock drill boys, station boys, where no white man is employed	1	6	2	5 0
Hammer boys, fitters, and blacksmiths' boys	1	4	2	0 0
Truck or shovel boys, windlass boys	1	2	1	15 0
Surface boys	0	10	1	5 0
Piccanins	0	6	0	15 0
Mule and ox drivers (Cape boys)	2	8	4	0 0
Boss boys, or gangers, police	2	0	3	0 0

III.—SCHEDULE OF NATIVE WAGES, WITWATERSRAND (FROM THE EVIDENCE AND REPORT OF THE INDUSTRIAL COMMISSION OF INQUIRY, TRANSVAAL, 1897, APPENDIX XIV. p. 581)

(Agreed to at a combined meeting of mining companies, May, 1897)

MINE

	<i>s.</i>	<i>d.</i>
Machine helpers	1	8
Hammer boys	1	6
Shovel boys	1	3
Tram boys (10 ft. trucks)	1	2
„ „ (16 ft. trucks)	1	6
Dry shaft and winze boys	1	8
Wet shaft boys	2	0
„ „ „ (when developing only).	2	6
Boys cutting hitches for timber	1	6
Timber boys	1	2
Stope gangers' assistants	2	0
Station boys (where white man employed)	1	2
„ „ (where no white man employed)	2	6
Air hoist drivers	2	0
Pumpman's assistants	1	8
Platelayers' assistants	1	6
Pipeman's assistants	1	6

SURFACE

Stokers (12 hours)	2	6
„ (8 hours)	1	8
Engine cleaners	1	6
Sorting boys	2	0
Head-gear boys (where white man employed)	1	4
„ „ (where no white man employed)	2	6

MILL

	<i>s.</i>	<i>d.</i>
Elevator boys	2	0
Vanner boys	2	0
Mill boys (12 hours)	2	0
„ „ (8 hours)	1	4
Blanket and sluice boys	2	0
Crusher boys	1	4
Surface trammers	1	9
Mule drivers	2	6

CYANIDE

Solution shed boys	1	4
Boys (filling and discharging)	1	9
Zinc cutters	1	6
Tramming residues	1	4

GENERAL

Fitters' boys	1	6
Blacksmiths' boys (strikers)	2	6
„ „ (helpers)	1	4
Carpenters' boys	1	2
Masons' boys	1	4
Police	2	6
Compound cooks	2	0
Drill packers	1	0
„ sorters	1	6
Surface labourers	1	2
Office and store boys	2	6
Assay office boys	2	6
Coal boys (off loading)	1	6

NOTES.—Timber boys assisting in timbering shafts to be paid at the rate of wet and dry shaft boys.

Seven and one-half per cent. of the natives employed may be paid special rates.

Month to be reckoned as consisting of at least 30 working days.

STATEMENT C
OCCUPATIONS IN CAPE COLONY

STATEMENT SHOWING THE NUMBER OF PERSONS, MALES AND FEMALES, OF EACH RACE OF THE DIFFERENT CLASSES OF OCCUPATION (FROM THE STATISTICAL REGISTER, 1898)

Occupation.		EUROPEAN OR WHITE.				MALAY.				HOTTENTOT.			
Class.		Persons.	Males.	Females.	Persons.	Males.	Females.	Persons.		Persons.	Males.	Females.	
The Colony. Total Population			376,987	195,956	181,031	13,907	6,713	7,194	50,388	26,248	24,140		
I. Professional			14,253	10,085	4,168	56	35	21	60	30	30		
II. Domestic.			77,118	2,248	74,870	4,681	360	4,321	13,606	1,478	12,128		
III. Commercial			17,922	16,519	1,403	558	537	21	425	419	6		
IV. Agricultural			74,095	59,309	14,586	516	502	14	16,860	13,602	3,258		
V. Industrial			31,177	26,747	4,430	2,846	2,673	173	2,429	2,222	207		
VI. Indefinite			4,897	1,786	3,111	120	54	66	863	164	699		
VII. Dependents			155,333	77,895	77,438	5,020	2,486	2,534	15,411	8,024	7,387		
VIII. Unspecified			2,192	1,167	1,025	110	66	44	734	309	425		

Occupation.		KAFIR AND BECHUANA.			MIXED AND OTHER.			TOTAL, ALL RACES.		
Class.		Persons.	Males.	Females.	Persons.	Males.	Females.	Persons.	Males.	Females.
The Colony. Total Population		229,680	108,566	121,114	608,456	301,821	123,209	1,527,224	767,327	759,897
I. Professional		999	820	179	1,381	121	539	17,787	12,769	5,018
II. Domestic.		5,846	684	5,162	33,179	28,020	6,013	203,138	15,942	187,196
III. Commercial		638	635	3	2,357	32	4,077	26,116	24,512	1,604
IV. Agricultural		142,913	67,465	75,478	383,900	187,260	45,834	672,458	383,612	288,846
V. Industrial		2,908	2,825	83	19,054	452	17,710	77,906	70,779	7,127
VI. Indefinite		302	78	224	2,131	1,683	951	11,382	3,481	7,901
VII. Dependents		75,554	35,837	39,717	164,258	83,055	47,090	510,749	252,535	258,214
VIII. Unspecified		490	222	268	2,136	1,198	995	7,688	3,697	3,991

CHAPTER VII

THE LAW OF MASTER AND SERVANT

§ 1. CAPE COLONY

THE most important of the statutes at present in force dealing with this subject is one passed in 1856 (No. 15, 1856) "to amend the laws regulating the relative rights and duties of masters, servants, and apprentices."

By "servant" is meant any person employed for hire or wages to perform any handicraft or other bodily labour in agriculture or manufactures, or in domestic service, or as a boatman, porter, or in any other occupation of a like nature. The word "apprentice" comprises any person indentured or bound by any contract of apprenticeship. These statutory definitions are equally applicable to persons of European and of native birth.

(a) The Formation of Contracts of Service

No contract of service made elsewhere than within the limits of the Colony shall be of force within the Colony, unless made in writing and certified by the British consul or other similar officer at the place where it was made; but contracts not so certified shall have force in the Colony upon other proof of such contract to the satisfaction of the magistrate before whom the same shall come in question. Every contract of service, whether oral or written, unless otherwise provided, shall, with certain trifling exceptions, be taken to be for one month; and no oral contract shall be binding for more than a year. The

same limit of time is set to the operation of a written contract, except on certain conditions; that is to say, unless the contract is signed with the name, or, in the case of illiterate persons, with the mark, of the contracting parties in the presence of a magistrate or officer, who has to satisfy himself by inquiry of the servant or apprentice that the contract was entered into voluntarily and with a clear understanding of its meaning and effect. The magistrate having ascertained this, it is his duty to sign the contract in attestation of the fact.¹ No contract, even if executed with these formalities, can be valid or binding for a longer period than five years; and contracts so entered into before a magistrate must be as nearly as possible in accordance with a statutory form.

In the absence of special agreement, a month's notice is required before a contract shall be deemed to have expired. There are certain regulations as to the supply of food and lodging where servants are hired to reside on the premises, as to the determination of the rate of wages when not specified, and as to provision in case of sickness. All contracts of service stipulating for the services of the wife of any servant are to be executed by her in a similar manner. Parents are given a qualified authority to contract for the services of their children until they attain sixteen years of age.

(b) The Apprenticeship of Children

No contract of apprenticeship is valid unless in writing and signed by the master and by the parent or guardian of the apprentice, if under the age of sixteen, or by the apprentice himself, if over that age. No contract of apprenticeship, moreover, by which any child under

¹ This is the effect of sect. 1 of Act No. 18, 1873, repealing sect. 4, chap. ii. of Act 15, 1856.

sixteen, if a female, or eighteen, if a male, is apprenticed as an agricultural or domestic servant, is valid for a longer period than until the female has attained sixteen or the male eighteen. A distinction is drawn between non-destitute and destitute children. As to the former, it is provided that children between the ages of ten and sixteen may be apprenticed by their parents or guardians until they have attained twenty-one (subject, of course, though the statute does not say so, to the limitation already mentioned in the case of agricultural labour and domestic service); and due provision for the maintenance, clothing, and instruction of every such apprentice must be made in the contract of apprenticeship. Such a contract must be executed by the parties in the presence of a resident magistrate, and attested by him to be a contract which is apparently beneficial to the child. Persons of sixteen years and upwards may, by their own consent, be apprenticed for a period not exceeding five years to any trade in the practice of which any peculiar art or skill is required. Resident magistrates are appointed *ex officio* to be guardians of orphan children; and destitute children are to be apprenticed by the resident magistrate to some fit person, in the case of a boy till he has attained his eighteenth year, or of a girl her sixteenth year. Due provision for the maintenance, clothing, and instruction of every destitute child so apprenticed is required to be made in every contract of apprenticeship; and generally it is the duty of the magistrate to make the best terms he can for the child. Apprenticeship contracts for destitute children must be as nearly as possible in a statutory form, in which the master covenants with the magistrate to properly perform his obligations. The contract itself must be executed in three parts, one to be given to the master, one to the apprentice, and the third to be filed in the office of the

magistrate. An apprentice, if under sixteen, may not be assigned without the magistrate's consent, and if over that age without his own consent.

(c) *Dissolution of Contracts*

Generally speaking, the death, insolvency, and change of residence of the master determine the contract of service and apprenticeship, with certain exceptions, one of which is that the widow of a deceased master may adopt the contract of service.

(d) *The Jurisdiction of Resident Magistrates*

The resident magistrates have jurisdiction in all cases between masters and servants and apprentices; and any servant or apprentice may be fined any sum not exceeding £1, and in default of payment may be imprisoned with or without hard labour for any period not exceeding a month, in case he commits any of a great variety of offences,¹ and generally if in any way he breaks or acts in a manner inconsistent with his contract. A repetition of the offence and certain offences of a more serious nature (such, for instance, as lead to damage of property) may be more severely punished. Children under the age of sixteen are, however, not liable to the infliction of these penalties, and no imprisonment is allowed for any continuous period exceeding six months.

The resident magistrates have also jurisdiction to inflict penalties on masters in certain cases, such as withholding wages, refusing to deliver a servant's property, or failure to supply articles stipulated for in the contract. The contract may be cancelled if the master has not performed his part,² or where he has been convicted of an

¹ See Statute No. 18, 1873.

² Act No. 18, 1873.

assault upon a servant or apprentice.¹ In any case, moreover, in which a master appeals from the decision of a magistrate, it is the duty of the Attorney-General to argue the servant's case before the Supreme Court.

(e) Respecting Characters given by Masters to Servants or Apprentices

It is sufficient, under this head, to observe that (as under English law) no master is bound to give a character to any servant or apprentice.

(f) Respecting the Constraints of Masters, Servants, and Apprentices

This chapter of the Act of 1856 defines certain offences incidental to the contract of service, such as unlawful interference with servants or apprentices in order to prevent them from entering into or completing their contracts, and fixes penalties therefor.

The above is the framework of the principal Act, which has been at various times amended and supplemented; e.g. by the following statutes: No. 18, 1873; No. 7, 1875; No. 35, 1886; No. 30, 1889.² A brief summary of the effect of these statutes will show the tendency of modern legislation upon this subject.

The Act of 1873 is chiefly concerned with the punishment to be inflicted on servants and apprentices for acts of misconduct on their part, and the effect of its provisions has been already referred to. The Act of 1875 also enlarges the power and authority of a master by enacting

¹ Act No. 15, 1856, sect. 24.

² Extended by Proclamation No. 206 of 1893 to all the native territories, and by Proclamation No. 340 of 1894 to East and West Pondoland.

that, if a master alleges matter of complaint for any offence punishable under the Law of Master and Servant, and deposes that the apprehension of the servant is necessary to secure his appearance, the servant may be apprehended on a warrant. After the passing of this Act the law appears to have remained unchanged for eleven years, until in 1886 an Employers' Liability Act was passed, containing provisions similar to those which regulated the liability of masters to servants in England at that time.

The next important statute dealing with this subject was passed in 1889,¹ and extended the jurisdiction of the magistrates over servants and apprentices other than those employed on farms. Servants of this class had hitherto been placed in a more favourable position than farm servants; but the Act of 1889 assimilated the law applicable to both, and gave the magistrates jurisdiction to punish servants and apprentices generally for certain offences under the Law of Master and Servant by imprisonment without the option of a fine.

Very recently a statute² has been passed with the object of protecting natives procured to labour beyond the limits of the Colony by provisions similar to those applicable to contracts of service within the Colony. This Act provides that persons procuring natives for labour beyond the borders of the Colony must be licensed, and runners or messengers employed by them must have permits. Any misrepresentations made by runners or messengers are to be deemed to have been made by the labour agent. The agent's licence is issued subject to renewal, and he must make a return of the names of labourers engaged and the terms of their employment. The agent must, moreover, represent a registered company or an approved employer of labour; and every labour agent may be required to enter into written contracts, to be executed in three parts,

¹ No. 30, 1889.

² No. 6, 1899.

and to contain like particulars to those already referred to as required for contracts of service within the Cape Colony. The contracts must specify the nature of the work and the places at which the labourers are to be employed, with the names of their future employers. The agent must notify the arrival of the labourers at their destination to appointed persons in the district, and must give security, out of which damages recovered by the natives may be paid. The statute also fixes penalties for inducing natives to leave the Colony by misrepresentation, inducing servants to leave their service by offers of higher wages, the employment of deserting servants, and the like.

§ 2. NATAL

The Law of Master and Servant of Natal very closely resembles that of Cape Colony. The legislation is based upon an enactment known as Ordinance No. 2, 1850, framed upon the same plan as the Master and Servants Act of 1856 of Cape Colony, already described. There are, however, one or two slight differences; *e.g.* the most formal kind of contract, that is to say, a contract entered into before a magistrate, is not binding for a longer period than three years. The Ordinance contains the same provisions as the Cape Colony statute as to the apprenticeship of children, the jurisdiction of resident magistrates, etc., and provides that "on complaint preferred and proof made before any resident magistrate that any servant or apprentice has refused or neglected to perform his stipulated work, or that he has performed it negligently or improperly, or that by negligence or other improper conduct he has injured the property of his master, . . . or that he has behaved to his master with violence or insolence, or that he has been guilty of scandalous immorality, or of drunkenness, desertion, or other gross misconduct, the resident

magistrate may in his discretion " pass a sentence of one month's imprisonment, or a whipping of twelve lashes, or a fine of £5. The Ordinance of 1850 also contains a special chapter, entitled " Regulations for the better protection of servants and apprentices." The chapter requires a master, under a penalty of 10s., to give notice to the field-cornet of the death of any of his servants or apprentices, or of their children or relatives, and similarly of births. As in Cape Colony, no distinction is made in the original Ordinance between native servants and those of European birth. The Ordinance of 1850 has been at various times amended and altered. In 1852 it was provided that contracts made out of the district must be reduced to writing and confirmed before a magistrate in the district subject to the general law ; and in 1885 the power to inflict whipping was restricted by a proviso that this punishment should only be inflicted upon males under sixteen years of age.¹

A few years ago the Law of Master and Servant was summarised and re-enacted by an Act entitled " To regulate the relative rights of masters and native servants, and to provide protection for such servants." ² By this Act, as its title shows, a special law was created applicable only to *native* servants. The Act for the most part recapitulates the law as it stood, and it is sufficient for the present purpose to note that any breach of or conduct inconsistent with the contract of service may be punished for a first offence by imprisonment for a month with hard labour without the option of a fine. The Ordinance of 1850 appears to be still applicable to contracts of service when the servants are not natives, but in such a case imprisonment and flogging have been abolished.³

In addition to the law affecting the relations of master and servant in Natal generally, there is a large body of

¹ Law 12, 1885.

² No. 40, 1894.

³ By Act 13, 1898.

legislation dealing specially with imported Indian coolies, of whom there are, at present, 65,000 in Natal. The law affecting this class of labourers may be briefly summarised as follows.¹ The Governor may appoint some person to be Protector of Indian Immigrants, with a staff of officials to assist him, and every person wishing to engage immigrants from India must make an application in statutory form and give security. Every Indian immigrant leaving India to come to Natal must, before leaving India, either be engaged to an employer named in his contract, or be taken as bound to serve any employer to whom he may be allotted by the Protector. The form of contract which every immigrant has to sign in India binds the servant to serve for a period of five years, and in the event of the estate on which the servant is bound to serve being sold, alienated, or transferred, the servant is bound to serve the transferee. Such servants are subject to certain stringent regulations. It is amongst other things provided that the master may apprehend without warrant any Indian immigrant servant found more than a mile from the master's residence without a written ticket of leave. Similarly, any magistrate may stop an immigrant and demand his certificate of discharge or pass. It is also the duty of the Protector or his deputy to enter every estate where any Indian immigrant may be employed, and to inspect the state of all Indian immigrants, whom he may find and inquire into complaints.

On the expiration of five years from his arrival the immigrant may dispose of his services as freely as any other labourer, and is governed by the ordinary Law of Master and Servant, and on the expiration of ten years he is entitled to a free passage back to India. The effect of a recent Act, however, is to compel unindentured Indian servants to return to India. Any Indian failing

¹ No. 25, 1891.

to return or reindenture must take out a pass, for which he has to pay a yearly sum of £3.¹ Moreover, great restrictions have been placed upon Indian immigration by the legislation of 1897, which makes it practically impossible for any unindentured Indian to enter Natal, and greatly increases the obstacles placed in the way of small traders and hawkers of Indian origin.²

Recent legislation as to labour "touts" deserves mention. By an Act passed in 1896 every labour "tout" who procures or engages natives in the colony for employment outside its borders has to take out an annual licence from the magistrate of the district in which he intends to operate. The licences are only to be issued to persons approved by the magistrate.

§ 3. RHODESIA

Section 80 of an Order in Council promulgated in 1898 (Government Notice No. 235 of 1898) provides that "no conditions, disabilities, or restrictions shall, without the previous consent of a Secretary of State, be imposed upon natives by Ordinance which do not equally apply to persons of European descent, save in respect of the supply of arms, ammunition, and liquor." Apart from this pro-

¹ No. 17, 1895. The Act provides that future indentures of service shall contain a condition that the Indian shall return to India at the expiration of his term of service, or remain in Natal under renewed indentures. Mention may also be made of Law No. 21, 1888, which applies to Indians who were first introduced into Natal as indentured labourers, but whose indentures have expired. Under the authority of this law, the Town Councils of Pietermaritzburg and Durban enforced a system of registration of servants, and any such Indian taking service without being registered is liable, together with the person by whom he is employed, to a fine of £2, with an alternative of imprisonment.

² Acts Nos. 1 and 18, 1897. The restrictions imposed upon British Indian subjects in the colony of Natal are summarised in a return to the House of Commons, dated December 7th, 1900.

vision it appears that contracts of service in Rhodesia are regulated by the Registration of Natives Regulations, 1895. These regulations require natives seeking employment to report themselves to a registrar of natives, whose duty it is to advise and assist natives. Contracts of service must be registered by the registrar, and all natives seeking employment in the principal townships must have a pass or a certificate of registration of their contracts. The law on this subject has recently been amended and assimilated to that of Cape Colony by "An Ordinance to regulate the employment of natives within Southern Rhodesia, and for controlling the removal of natives for employment beyond its borders."¹

§ 4. OPINIONS OF CORRESPONDENTS

It is not clear whether those best acquainted with the working of this legislation wish it in any way altered. Correspondents have been asked whether in their opinion it would be desirable or prudent to treat, in the case of natives, contracts of hiring or service, or of master and servant, as purely civil contracts, the breach of which should not be punishable by fine or imprisonment; and if not, under what conditions breaches of such contracts should be treated as criminal offences. Mr. Dugmore, the managing director of the Indwe Railway, Collieries, and Land Company, thinks that the Act in Cape Colony is fair to both parties, and that as administered by colonial magistrates, it is not oppressive to natives. If punishment by fine or imprisonment were abolished, he fails to see what remedy employers would have, or what other adequate punishment could be substituted. The Rev. E. J. Barrett, of Buntingville, in Pondoland, says that contracts should be treated as civil contracts, and that,

¹ Ordinances Nos. 1 and 9, 1899.

as a general rule, the natives will be best satisfied to be dealt with on broad principles, without distinction on account of colour. The Rev. R. Howieson, of Humansdorp, in the east of Cape Colony, does not think that breaches of such contracts should be punishable by fine or imprisonment. He thinks that breach of contract on the part of native servants is often, considering the treatment which they receive, quite justifiable, and that the servant should forfeit his wages, or the master pay the wages and the servant's contract be dissolved, according to the merits of the case. Similarly, Mr. D. A. Hunter would prefer in ordinary cases a purely civil remedy ; but in special cases, where the native is brought from a distance at the master's expense, he should be compelled to work his full time or refund the cost of bringing him. Mr. C. J. Levey, a civil commissioner and resident magistrate, also considers it undesirable to create criminal offences.

On the whole, it appears to be the better opinion that wilful destruction of property or specially aggravated circumstances alone should justify a criminal remedy. Some of those who advocate imprisonment say that the native thinks it no disgrace to go to prison ; from which it would seem that imprisonment for venial offences has produced a demoralising rather than a deterrent effect.

CHAPTER VIII

THE COMPOUND SYSTEM

THE plan of confining native labourers employed in the diamond-mines near Kimberley within a compound, or guarded enclosure, during the period for which the labourers have voluntarily contracted to work in the mines, was introduced to stop the theft and sale of diamonds to unscrupulous traders, and generally to protect the native from drink and other evils. The same difficulty in preventing such frauds does not exist in gold and other mining industries; and, so far, the compound system has not been applied anywhere except to diamond-mining in the Kimberley district. The only other diamond-mines in South Africa—namely, the Orange Free State and Transvaal diamond-mines at Ventsburg, in the Orange River Colony—are not in full working order, and they have not yet adopted the compound system. Natives employed in the gold-mines generally dwell in enclosed areas immediately around the mines; but when not at work they are perfectly free to go where they like.

There are obstacles in the way of extending the compound system. Mr. Lionel Phillips, whose firm has had the control of about 30,000 to 40,000 natives in the Johannesburg gold-mines, is greatly in favour of the Kimberley compound system. But he acknowledges that it would be impossible to establish the system in the Johannesburg district, owing to the strong opposition of the local tradesmen. He would prefer the establishment of native villages some ten or fifteen miles from the gold-mines, where the

wives and families of the natives could reside, and which would be near enough to be visited from time to time by natives working in the gold-mines.¹

There are seventeen compounds established in the diamond-mining district of Kimberley, in which some 10,000 natives are located. Of these compounds five or six of the largest and best managed, containing approximately about 8,000 natives, are under the control of the De Beers Mining Company. The remaining eleven or twelve are only small compounds, employing about 2,000 natives. As will be seen by the official report quoted below, the natives at the De Beers mines appear to be well cared for; but their treatment in some of the smaller compounds is not apparently all that can be desired.

The natives appreciate the treatment which they experience in most of the Kimberley diamond-mines and the opportunity given to them to save substantial sums out of their wages. The De Beers Mining Company have now little difficulty in obtaining a constant and sufficient supply of the best native labourers from Basutoland and Bechuanaland. On the other hand, Transvaal gold-mines have found great difficulty in obtaining labour, owing to the bad treatment to which the natives have been subjected at or on the way to the mines, and to other disadvantages, such as the fatal facilities for acquiring intoxicating liquors. Many of the more respectable and intelligent natives of Cape Colony and Basutoland are reluctant to go there. It is, however, the opinion of Mr. Lionel Phillips that when the Transvaal is justly administered by British officials an ample supply

¹ It is stated that the firm with whom Mr. Lionel Phillips is associated has already instructed its representative at Johannesburg to take immediate steps to establish such villages in the vicinity of the mines.

of voluntary labour will be forthcoming, and that no compulsory measures will be necessary or expedient.

The food and other necessities required by the natives employed in the compound must be bought at the compound shop, and are thus sold to them by their employers at a profit. Mr. Rhodes, in a speech at the ordinary general meeting of De Beers Company, December 19th, 1898, said :—

“With reference to the disposal of the compound profits, I may say that we have dealt with them for the past two years in the following manner: Sanatorium, £11,500; Library, £1,000 (with another £1,000 to follow); Town Hall, £1,000 (with £2,000 more to follow); G. W. Brigade, £2,000; School of Mines buildings, £2,000; Grahamstown Exhibition, £500; Port Elizabeth Seamen’s Institute, £100; Kimberley and Beaconsfield Schools, £2,079; and charitable institutions here and in Beaconsfield, £1,206.”

These objects, though not clearly for the benefit of the natives, may be meritorious. But the practice of making a profit out of food and other necessities sold to employés is a dangerous precedent, and might lead to serious abuses.

The Rev. J. S. Moffat, formerly a resident civil commissioner in Bechuanaland, sends us the following interesting description of the Kimberley compound system :—

“I have seen some statements about the Kimberley compound system in the English newspapers which give a wrong impression. From personal knowledge of its effects upon natives, gained during my experience both as a missionary and as a Government official, I am disposed to regard it as a great improvement upon the state of things which preceded it. In the early years of the diamond-fields I was a missionary at Kuruman. I had long felt that what we needed in the country was some industry which would enable my people to earn money, and so to climb the ladder of civilisation. The country round Kuruman was fit only for pastoral pursuits, and

very poor at that, and my people had to struggle with a squalid poverty which greatly retarded their social and even their moral elevation. Then the diamond digging began, and my young men flocked to the fields. But the remedy was worse than the disease. They earned money, it is true, but they spent most of it in drink and dissipation, and returned with comparatively empty pockets and greatly deteriorated in character.

"In 1881, after the first Transvaal War, I spent two months in Kimberley. It was a mining camp, in the process of solidifying into a town. It was a dangerous place to walk about after dark, drunkenness and violence were rampant. The mortality was portentous among natives. A dead 'nigger' lying in some nook or corner or on the open veldt at break of day was so ordinary an event as to be scarcely worth a paragraph in the newspapers. The native labourers herded in the vilest shanties, and drank the vilest Cape dop, which they bought with the diamonds they stole during the day from the mines they worked in. If ever there was a place where Satan's seat was, it was there.

"What have we to-day? We have the compounds. Now, as to these compounds—men go there perfectly of their own accord and with their eyes open. They know exactly what they are going to. There are men who go there regularly time after time as part of the routine of their lives; just as fishermen go to the North Sea, or as Irishmen used to come over to England to reap the harvest. I know one case in the De Beers compound of a man who, off and on, has spent the best part of ten years there, a sober, steady man, who goes away now and then but always comes back. I may take it for granted that there are others like him. Men come sometimes in batches, with a headman to look after them, sometimes in similar batches with a labour tout, who collects them and makes a percentage out of the business, sometimes they come in little parties, sometimes one by one. But the point is, they come, and come again and again; they are not driven, except by their own desire to make money; some of them will walk eight hundred miles and arrive in the last stage of starvation.

"These people present themselves at the office, and they are taken on for not less, I believe, than three months. When they enter the gate they have done with the outside world for that space of time. They are in a yard—that is,

a compound—from which there is no egress except down into the mine and its purlieus, the depositing grounds. This is to cut off all communication between them and the illicit diamond buyers, to deliver them from temptation.

"Their wages range from a minimum of 15s. a week. That is the pay of the raw native. If he is too thin and too weak to work he is engaged all the same, and judiciously fed for a fortnight or so, and then starts work. Extra pay is given for higher grades of work, also for overtime and for Sunday work. There are natives in De Beers' compound who are earning at the rate of £10 a month. A man can feed himself for 1s. a day. There is a shop in the compound where he can buy anything he likes—except 'alcohol.' I am told that in the absence of alcohol the consumption of sweets is 'magnificent.' There is a swimming bath and a hospital; the doctor is one of the regular staff. There is a church where ministers of three denominations officiate, each at his respective hour, on Sundays. The wages are paid once a week. After deducting what they want for their own use, most of them will deposit the balance with the manager, in whom they have learned to place implicit confidence. For reasons which need no expounding, the directors are not likely to employ any manager who is not worthy of such confidence. I know Mr. Mandy, of the De Beers compound, and he is a gentleman in every sense of the term. I do not know Captain Dallas, of the Kimberley compound, also belonging to De Beers, but I hear him everywhere spoken of in similar terms.

"I spent a Sunday afternoon in the former compound. There were about 2,700 men off work, and left entirely to themselves. The only visible sign of control was the two policemen who kept the gate. The men had arranged themselves according to their tribes in front of the barracks in which they sleep. In these barracks the bunks are in tiers one above the other, as in a troop or emigrant ship, all round the sides. In the middle are large tables. I made the circuit of the compound. There were the Zulus, behaving after their manner, showing not much sign of civilisation, but orderly and dignified. There were the Amasosa, and the Basuto and Bechuana. Some of these were sitting quietly reading their books, or writing letters at the tables in-doors. Two were at work with sewing machines. I conversed with those whose language I knew. Farther on were the Amaswazi and the people from the

Portuguese territory above Delagoa Bay. In this part of the compound a wild heathen dance was going on. The dancers would have looked terror-striking if they had not been so grotesque. But they were quite harmless. Peace and order reigned. If you could have rolled a barrel of brandy into the compound, in a few hours the place would have been pandemonium, and the various tribes would have been in deadly conflict.

"Now I come to what is an unpleasant feature of the compound system. When a man's time is up and he wishes to leave, he has to go through a process of search. He is kept for several days in solitary confinement; measures are taken by which it is impossible for him to carry away any diamonds about his body, inside or out. It is an unsavoury process, and involves what may be considered by some as a degradation of all decent feeling. There it is: I cannot palliate it; but the point is, every man knows when he offers himself to work in the compound that this ordeal has to come at the end of it, and he accepts it as part of the contract!

"There is also the detective system. Certain natives in the compound buy stolen diamonds from their fellows. They buy them cheap, of course. It pays the company to do this; though the morality of the transaction and its moral effects on the natives are questionable.

"A word about the commissariat. The men buy their food at the shop. They buy anything they want; and sometimes ask for things which have to be procured for them from outside. They prepare the food themselves. I saw one man who had just baked a batch of white bread which would have passed muster in a baker's shop. But this is, of course, exceptional. Most of them eat porridge (of mealie meal) with curdled milk, and now and then a bit of meat. This is a diet on which men can work and be healthy for a long time. When the compounds were started, and it was found that the food would be sold by the company, there was a great outcry among the local dealers. 'If you sell food to your men at cost price, you will ruin the market outside.' 'But if we sell at the prices current outside, we shall have to make a profit, and that will be the Truck system.' It was arranged that the shop in the compound should sell at the prices ruling in Kimberley, and that the profits, amounting to an average of about £10,000 a year, should be placed in the hands of Mr. Rhodes, to be applied by him to matters of public utility according to his

own discretion, but with the cognisance of the De Beers Board of Directors.

“So far as I know, these are the facts of the compound system as it exists under the regime of the De Beers Company in Kimberley. If I am wrong, I am open to correction. If you come to me for opinions over and above facts, my opinion, as a missionary among the Matebele and the Bechuana of twenty years’ standing and as a Government official of another fifteen years standing, is, that the compound system in Kimberley has been one of the best things that ever happened to the natives ; it has saved thousands of them from untold misery and degradation.”

Mr. Barnes, to whose work as the Government Protector of Natives in the division of Kimberley we have already had occasion to refer, reports in 1894 on the compounds at Kimberley as follows¹ :—

“With the exception of the new Gordon compound, the natives, with a few exceptions, are in a healthy condition, and I cannot but be impressed with the fact that compounds, managed and arranged in the manner that these are here, are a very great benefit to the natives. They are taught cleanliness and sobriety, they are assisted to save considerable amounts of money, and kept from falling into many of the vices that they otherwise would if permitted to associate with what is known as the Town Boy. Here there is a very great distinction, and there is no comparison between the compound and town native. The former appears in the streets clean, well dressed, and sober ; the majority of the latter are the very opposite, and this can hardly be wondered at when so many bars are permitted to exist, and with no restrictions as to the sale of liquor to the natives ; and I submit that many of these bars are altogether unnecessary, and ought to be closed as such. Every provision is made in the compounds for the sick and wounded, and great kindness is shown to them. The most patient nurses are selected and amusements provided for the convalescent, and, in fact, I do not think greater kindness could be shown than is to be found here. The natives are permitted at times to go out of the compounds, but the greater number are glad to get back again, and thus they go on, many of them for years.

¹ *Blue Book on Native Affairs*, 1895, p. 27.

"The sanitary arrangements are very carefully carried out, and the compounds kept scrupulously clean. Thus much sickness is warded off, and at present nothing of a serious nature is to be found among those that are at present in the hospitals.

"Vaccination is systematically carried out. The wants of the people are also provided for; they can obtain what they require in food and clothing in the compounds at a very reasonable rate, and as much wood and water as they can use, free of charge."

In Mr. Barnes's official report of 1899¹ the description of the compounds of Kimberley is also on the whole favourable:—

"There are at present seventeen compounds in and about Kimberley and Beaconsfield, holding a total population of about 10,000 natives. On the whole, the condition and treatment of the natives are fairly satisfactory, but there is still room for improvement in some of the outlying compounds. The natives generally are contracted to the compound managers, who are thus constituted masters. There is room for improvement in the attitude and stand that some of the compound managers take in relation to the natives who are in their charge.

"In order that the matters I am about to refer to may be clearly understood, I will divide this portion of my Report under three heads: *Masters*; *Too many Masters*; *No Masters at all*.

"*Masters*.—Where the compound manager or true masters are, the natives are perfectly happy and contented, and no difficulty is at any time experienced in obtaining a full complement of labour, as no one is permitted to interfere with the natives. He protects them against any tampering with their wages, and generally sees that they are fairly and honestly treated. Thus the full confidence of the natives is secured, and they are quite satisfied to remain in the compound, and for the time being make it their home.

"*Too many Masters*.—In this case the compound manager is such in name only, and though quite capable of managing the affairs of his compound, is powerless in consequence of the constant interference of his employers,

¹ *Blue Book on Native Affairs*, 1899, p. 32.

well-meaning enough possibly in their way, but having had very little experience in the management of natives. Thus the position of the compound manager is one of considerable difficulty, and a state of insecurity is naturally felt by the natives. The staff in some of the compounds consists of the following gentlemen:—The general manager, the mine manager, the contractor, the overseer, and the time-keeper, and lastly the compound manager; so the position of the compound manager and that of his natives is by no means an enviable one.

"No Master at all.—In this case the compound manager is a perfectly indifferent individual, and does not appear to trouble himself about natives in his compounds. They are turned out to work by the guards in the morning and returned to the compound in the evening, and this is about the extent of his care for his natives. He is not in touch with them, does not give them an opportunity of airing their grievances to him, and appears not to care a fig what happens to them. If by chance a native catches sight of him, and manages to get in a word of complaint, this is the last he hears of it. The following facts apply naturally to the latter class principally, and in some cases to the preceding. Many and constant are the complaints made by the natives against the rough usage they are subjected to by the guards when arousing them to go to work in the morning. Sticks and boots are brought into action. This occurs generally when the Zulu guards are employed, who appear to imagine that their duty lies in being as cruel as possible. Again, there is much complaining about being compelled to work in the face of their declaration that they are not well enough, and they are told that they are shamming.

"It is admitted that there is much shamming, but it is not all shamming, and as it is generally on the certificate of the doctor that they are permitted to remain from work, it is to be feared that many have to go to work who are unfit. I don't wish it inferred from this that any reflection is meant to fall upon the doctors; but as the doctor does not happen to be in the compound at 4 and 5.30 a.m., when they are being turned out, they cannot obtain any certificate from him.

"Again, large number of natives are to be found lying about the compounds suffering from various complaints and injuries very often from one to two weeks at a time, some of them bearing evidence of being seriously ill, the

general reply, however, from themselves to the question, 'What is the matter with you?' being '*Umtchetcha pautsi*,' which, being interpreted, means scurvy. This matter is one that shows serious neglect on the part of someone. It may be that these companies are not so well able to provide hospitals and to have the people treated generally as De Beers Company; but there is no excuse for allowing these people to lie in the compounds day after day in their dirty blankets and their bodies in a filthy condition. It may be done out of consideration to the hospital; but if these men have paid their hospital tax, I don't think any objection would be raised. At a meeting recently held of the Kimberley Hospital Board, the medical officer reported that the natives were often sent to the hospital as late as six or seven days after they became ill. Doctors visit the compounds, I am informed, almost daily, and if these sick people are properly examined, it surely could be detected if they were ill; and if they are too ill to go to work, then the hospital is the place for them.

"*Floors Compounds.*—These compounds are generally free from complaints about wages, and the only complaints from them are an occasional case of assault, and these are by no means of frequent occurrence, and not of a serious nature. I think, on the whole, those officers in charge of this department may be congratulated on their splendid management and the care exercised by them to make things work smoothly under, at times, most trying circumstances."

The Rev. W. C. Willoughby, the London Missionary Society's agent at Palapye, Bechuanaland, and the present friend and adviser of the chief, Khama, states that, though Kimberley is twice the distance that Johannesburg is from Bechuanaland, the natives prefer to proceed to the Kimberley diamond-mines, and few, if any, go to work at Johannesburg. This preference arises partly owing to the dislike of the natives to the Boers, and partly to the fact that at Kimberley they are protected from intoxicating liquors and other evil influences, and are thus enabled, within a comparatively short time, to effect considerable savings out of their earnings.

The sale of intoxicating liquors is entirely forbidden in the Kimberley compounds. Owing to the natives being protected in this and other ways, their fine physical appearance at the diamond-mines presents, it is stated, a striking contrast to the emaciated and deplorable condition of many of those working at the Johannesburg gold-mines.

Mr. Willoughby visited one of the principal compounds belonging to the De Beers Mining Company, and highly approved of what he witnessed as to the kind treatment of the natives and arrangements provided for their religious instruction.

Mr. Turner, the Registrar of Natives at Kimberley, reports in 1899¹ to the Government of Cape Colony that all contracts are now periodically inspected by him at the several compounds and compared with the counterfoils. This plan has been found to work well, and to ensure greater care on the part of the registering officers.

Judging from the information laid before us, it seems clear that the compound system, though open to serious abuses, is a vast improvement upon the condition of affairs existing at Kimberley before it was adopted. It has proved a great protection to the natives, and, when well managed, it seems much appreciated by them, as is evidenced by their preference to work in the compounds to going elsewhere. But it may be objected to from many points of view, and its extension is to be deprecated.

¹ *Blue Book on Native Affairs*, 1899, p. 32

CHAPTER IX

SAVINGS BANKS AND LABOUR AGENCIES

§ 1. SAVINGS BANKS

THERE are no statistics respecting the use of savings banks by the natives of South Africa; but the reports of the savings bank authorities enable a fairly safe conjecture to be made.¹

(a) Cape Colony

The Post Office conducts a savings bank system in Cape Colony of much the same character as that with which we are familiar in this country. The maximum amount of an account is much higher than in England—£600, as compared with £200,—and interest is allowed on every complete pound at the rate of 3 per cent., instead of $2\frac{1}{2}$ per cent., as at home. When the balance due on an account has reached the maximum, further sums are received in complete hundreds up to £1,000 on certificate of deposit. On money thus deposited only $2\frac{3}{4}$ per cent. is allowed, and the money is repayable on three months' notice. The use of these certificates is small, and showed a slight falling-off in the year ending June 30th, 1898, the last year for which we have figures; the receipts during this year were £176,700, and the

¹ *Report of Postmaster-General for Cape Colony, 1899; Report of Controller of the Natal Savings Banks, 1898, and cf. Blue Books on Native Affairs.*

repayments £177,400. The total amount held on certificate on June 30th, 1898, was £425,100. The ordinary deposit transactions of the bank also show a diminished rate of growth in 1897-8; the excess of deposits and accrued interest over withdrawals was £118,000,¹ as compared with £261,000¹ in 1896-7. The transactions of the bank are, however, considerable. On June 30th, 1898, there were 58,953 depositors, owning in the aggregate a balance of £1,736,772.² The average amount standing to each account is much higher than in the United Kingdom—£29 9s. 2d., as compared with about £16.

The Cape Post Office Savings Bank had, at the close of the year 1897-8, 295 offices open; and, as in England, deposits and withdrawals can be made with reference to any account at any office. The number of transactions at offices other than those at which the account was opened is on the increase; in 1896-7 it was 28,881, and in 1897-8, 36,994. This may possibly indicate an increasing use of the bank by the wage-earning class, working, *e.g.*, at Kimberley or other mining centres, and living elsewhere—a class which consists largely of natives. This, however, is mere conjecture.

The Controller of the Savings Bank gives, in an appendix to the Cape Postmaster-General's report, a detailed list of the transactions at every office in 1897-8, and, what is perhaps more useful, an analysis of the accounts in the bank with reference to the divisions of the Colony, and their respective populations according to the census. Comparing the numbers of accounts open, thus given, with the figures of the white and coloured populations in a few districts, it would certainly not seem

¹ Fractions of a thousand are neglected.

² It is not quite clear whether the amount of deposit certificates is included in this total.

(so far as any inference can be drawn) that the natives make any considerable use of the bank. For example, in the district of Cape Town, where there is a large white population, there are about 19,000 accounts for about 97,000 persons, or one for every five—a very high proportion, about the same as in England. Again, in British Bechuanaland,¹ where the white population compared with the native is about as 5 to 7, there are 646 accounts, or 1 for every 20 persons; and of these accounts more than half are at Mafeking. Turning to districts where the population is mainly coloured, we have :—

	Whites.	Natives.	No. of Accounts.	Proportion of Accounts to Population.
East Griqualand	5,252	179,035	579	1 in 308
Tembuland	8,147	223,088	514	1 in 450
Transkei	1,604	173,595	239	1 in 733
Pondoland	1,080	201,660	195	1 in 1,045
Basutoland	578	263,600	148	1 in 1,785

This table suggests that the number of accounts depends mainly upon the number of white people, the presence of a large native population having but a very slight effect on the use of the savings bank. It may perhaps be useful to add that in the Kimberley district there are about 5,500 accounts for 48,300, or about 1 for every 9.² Of these accounts nearly 5,000 are at Kimberley itself.

¹ The Post Office Report speaks of "Bechuanaland." We have taken it as meaning British Bechuanaland, and not the Bechuanaland Protectorate.

² In the compounds there appear to be about 10,000 natives.

It is to be noticed also that, comparing the years ending respectively on June 30th, 1897, and June 30th, 1898, the increase of business in Cape Town is much greater than at any other large centre. Comparing Cape Town and Kimberley the figures stand thus:—

	Accounts open June 30, 1897.	Accounts open June 30, 1898.	Increase.	Average Amount to each Account June 30, 1898.
Cape Town .	11,723	13,414	1,691	£ s. d. 44 14 5
Kimberley .	4,372	4,606	234	24 17 2

It should be mentioned that the notice setting forth the advantages offered by the Post Office Savings Bank of Cape Colony, which is published by the Postmaster-General, is printed in English, Dutch, German, and one native language.

There are two savings banks in Cape Colony besides that administered by the Post Office—the Cape of Good Hope Savings Bank, the chief office of which is at Cape Town, and the Kaffrarian Savings Bank, at King William's Town. The former holds about £250,000, and the latter about £70,000 on deposit. The business of the Cape bank appeared to be passing to the Post Office until 1893, by which year its deposits had fallen from £328,000 (in 1884) to £38,000; but since 1893 it has steadily gained in favour. The Kaffrarian bank has grown from year to year, but its business is comparatively small.

The foregoing conclusions seemed to be confirmed by an examination of the population and savings bank accounts with reference to smaller districts. A comparison of the population in 1898 of the several districts in the Transkei, Tembuland, Pondoland, and

East Griqualand, with the number of savings bank accounts open in each district on June 30th, 1898, shows in a general way that the savings bank accounts vary with the European and mixed population. For instance, there are two places where the number of accounts is about 200, and the amount nearly £5,000—*viz.* Mount Currie (Kokstad, the capital of East Griqualand), and Umtata. At the first of these places the European and mixed population is 3,700, and at the second 2,500; while the Bantu population is 4,200 at the first, and 44,000 at the second. On the other hand, at places where the European and mixed population is small, the accounts are very few—*e.g.* Mount Fletcher (East Griqualand), 130 with 10 accounts; Tsomo (Transkei), 150 with 12 accounts; Kentani, 210 with 20 accounts; Elliotdale (Tembuland), 150 with 8 accounts. Each of these places has a large native population.

It is difficult to make a similar comparison for Cape Colony proper, because the Blue Book on Native Affairs does not give full particulars of the native population. But the case of King William's Town is instructive. That district has a total population of 87,000, with a Bantu population on locations of 62,500. There are 897 savings bank accounts, amounting to over £27,000; but of these no less than 747, amounting to over £25,000, were opened at King William's Town itself, where presumably the European element would be most marked.

(b) *Natal*

In Natal there is a Government savings bank, but it is not associated with the Post Office. The report of the Controller for the year 1897 shows that it had seventeen offices in all. The bulk of the business was

transacted at Pietermaritzburg and Durban. The figures (neglecting fractions of a pound) stand thus:—

	Deposits in 1897.	Withdrawals in 1897.
Maritzburg	£ 55,050	£ 48,692
Durban	96,693	73,236
Ladysmith	8,409	4,606
Fourteen other Offices . .	19,845	15,967
Total	£179,997	£142,501

The total balance held by the bank on December 31st, 1897, was £261,847. There were 9,863 depositors, the average amount of their accounts being £26 11s. The rate of interest in 1897 was $3\frac{3}{4}$ per cent. It is not clear whether deposits made at one office may be withdrawn at another. There has been some demand in the Natal Press for the utilisation of the Post Office in connection with the savings bank.

There are said by the Controller to have been 760 Indian depositors in 1897. Taking the Indian population at 60,000, this gives about 1 depositor for every 79 persons. There were 158 native accounts. Taking the native population at 788,719, this gives almost 1 account for every 5,000 natives. On the other hand, the accounts of Europeans stand at over one for every six persons—a high proportion.

These figures seem to bear out the conclusion arrived at from those applicable to the Cape savings banks—*viz.* that the savings bank system is at present but very slightly used by the natives. It is to be noticed, however, that the native accounts in Natal increased from 111 in 1896 to 158 in 1897—a high relative increase.

§ 2. THE USE OF LABOUR AGENCIES FOR BANKING AND REMISSION OF MONEY

There are (or were, before the present war) in Johannesburg labour agencies established by the Governments of Cape Colony and Natal for the protection of the natives employed in the Rand mines and elsewhere. The functions of these agencies are to receive and investigate complaints, to receive money for safe custody, and to transmit money to the locations or other homes of the native labourers. The Natal agency has been in existence since 1895, while the Cape agency was only established in March, 1898. The Natal agency is by far the more in request. In 1896, 6,210 remittances, amounting to over £30,000, were made. In 1898 the amount remitted fell to about £23,000. Originally the remittances appear to have been made free of charge; but afterwards a fee of 2s. 6d. per transaction, irrespective of amount, was imposed; and it would appear that this charge has tended to check the use of the agency. About one-third of the amount remitted in 1898 was sent to Europeans to pay debts, loans with interest, rent, and hut tax. The balance consisted mainly of money sent to relatives; but in some instances loans to other natives were repaid, and there were three collective remittances by tribesmen for tribal purposes.

The amount deposited for safe custody in 1898 was £1,725. It is said that the liability to arbitrary arrest and other forms of oppression from which the natives suffered in Johannesburg, tend to prevent the larger use of the Natal agency, both on account of the suspicion engendered, and because natives find it convenient to have immediate control of a considerable amount of ready money to meet unexpected demands.

The Cape agency transacts a much smaller business.

During the ten months of 1898 the following amounts were transmitted :—

To East Griqualand	£1,868
To Transkei, Tembuland, and Pondoland	238
To Cape Colony and British Bechuanaland	280
	<u>£2,386</u>

A comparison of the amount transmitted with the number of passes issued by the resident magistrates shows that the amount transmitted per pass is trifling. The figures for East Griqualand are far in advance of the other districts ; this is attributed by the labour agent to the fact that he has a particularly useful interpreter (apparently a native of that district), and that the resident magistrates there give the natives better information of the existence of the office.

Hut tax may be remitted free of charge ; at present this facility has been little used.

During 1898 the sum of £231 11s. 6d. was deposited for safe keeping ; £136 10s. 6d. was subsequently withdrawn, leaving a balance of £95 1s.

There seems to be no relation of any kind between the use of savings banks and the use of the labour agencies. The two forms of thrift do not vary in development either directly or inversely with each other. The use of the Natal agency would seem to show that the natives can be induced to save their earnings for remittance home, while the figures as to savings banks give the general impression that up to the present time the advantages of the institution were not known to, or not appreciated by, the natives generally. Possibly the labour agencies might enter into relations with the savings banks, and remit monies (in some cases) to accounts in the banks, upon which the natives or their relatives could draw at convenience. Some arrangement of this sort

might tend to familiarise the native population with the idea of banking their money for safe custody and increase. Correspondents state that the Bantu native is by no means incapable of grasping the idea of interest. He has been known to ask private friends, when they have repaid money held by them in safe keeping for a prolonged period, for the "calves." Evidently he is of Shylock's rather than Antonio's way of thinking:—

Ant. Or is your gold and silver ewes and rams?

Shv. I cannot tell; I make it breed as fast."

CHAPTER X

THE PASS LAWS

§ 1. CAPE COLONY

IN the year 1837 an "Ordinance for the more effectual prevention of crimes against life and property within the Colony"¹ was issued enacting that any "foreigner"; that is to say, any native not being a native of the Colony; should be liable to arrest who should be found within the Colony without a pass; or, if under contract, without a written authority from his employer; or, having received a pass for the purpose of procuring employment in the Colony, should be discovered wandering without any certain occupation, or having been absent from his last employer for a longer period than fourteen days. Upon being arrested, the "foreigner" might be sent to an employer, or removed beyond the limits of the Colony, as the case might be, and, if arrested again, might be sentenced to imprisonment.

After 1837 various Acts were passed dealing with the immigration of native "foreigners" into the Colony. They were amended and re-enacted in 1867 by an Act to amend the law relating "to the issue of passes to and contracts of service with natives, and to the issue of certificates of citizenship, and to provide for the better protection of property."² This Act provided that all contracts of service made between employers and natives and "native foreigners" in conformity with the provisions of the

¹ Ord. 2, 1837.

² No. 22, 1867.

Master and Servant Act should be valid; but the existence of any such contract should not be allowed to protect any "native foreigner" who might be a party thereto from being punished for entering or being within the Colony without a pass. By "native foreigner" was meant any member of any tribe, other than a Fingo, of which the principal chief lived beyond the borders of the Colony.

No "native foreigner" may enter the Colony without a pass framed in accordance with the following form:—

PASS GRANTED UNDER ACT No. 22 OF 1867

No. Time allowed, days.

Permission is hereby granted to A. B., of tribe, to enter the Colony of the Cape of Good Hope for the purpose of

This pass to protect A. B. in proceeding and returning from [*name of the district or place*], provided he does so within days, and to and from such other place and for such further time as the resident magistrate of such district shall by endorsement hereon authorise, provided the said A. B. shall comply with all the conditions stipulated for and expressed in such endorsement; provided also that no stock shall be removed by him without a written authorisation to that effect, and that this pass shall be endorsed by the magistrate, field-cornet, or other officer to whom the bearer is directed.

Description of A. B. :—

Name :

Father's name :

Head of village :

Sex :

Age (about) :

Height :

Marks (if any) :

Particulars of family and stock (if any) :

This certificate was issued by me at
on the day of 18

Every native foreigner entering or being in the Colony without such a pass or violating its conditions is liable to a month's hard labour or to a fine of £1; but the Act contains a proviso exempting from its provisions Kafir

proprietors of land to whom certificates of citizenship have been issued.

A further exemption from the provisions of the Pass Law was given in 1887 to native voters, and to natives holding certain educational and religious qualifications.¹

This Act provided that no person, "whatsoever be his nationality, tribe or colour," shall, whilst registered as a voter at a Parliamentary election, be subject to the Pass Law; and further, that the same exemption shall be extended to every native holding a certificate from the Educational Department of qualification as an elementary teacher, or holding an inspector's certificate that he has reached the fourth standard of instruction, as required in aided schools, or any higher qualification.

So the law remained until 1895, when very wide and special powers were conferred upon local authorities. By the "Local Authorities Increased Powers Act, 1895,"² local authorities were empowered to make regulations for prohibiting and preventing the presence of natives in streets, public places, and thoroughfares between 9 p.m. and 4 a.m. without a written pass or certificate from their employer or from some person duly authorised by the local authority. This Act, however, did not extend to the native voters and others referred to in the last mentioned Act of 1887, or "to those who are the registered owners of any immovable property within the area of such local authority, or to any member of the family of such owner there resident with him, or to those who have certificates of good character from the resident magistrate of any district." And it was "provided further that no such regulation should prohibit or prevent the residents in any municipal native location from being in the streets, public places, or thorough-

¹ By Act No. 39, 1887.

² No. 30, 1895.

fares in such location" between the above mentioned hours.¹

Quite recently the Governor has been given wide powers, which may be used by him in any area defined by proclamation within which large numbers of natives reside, or are located, with a view to their employment in any mine or other work.² In any such "proclaimed area" the Governor may suspend the Acts relating to native locations on private property.³ The person in charge of the work must keep a register of the number of huts, the names of the natives, and a description of their cattle. Every male native in the area must have a ticket or written permission from the person in charge, or he will be treated as an idle and disorderly person. "Inspectors of Native Locations" are to be appointed, and any person found without right or authority in any proclaimed area may be removed, after being summoned before the resident magistrate.

§ 2. NATAL

The law of Natal requires natives and Indians to have passes in certain cases, especially when applying for liquor or engaged in removing or selling cattle;⁴ and such are also required under circumstances defined by certain Acts and rules for the punishment of idle and disorderly persons, and for the regulation of the passing and repassing of natives between Natal and neighbouring states.⁵ In particular, persons of Indian origin require

¹ This Act has been styled the "Curfew Act."

² By the Native Labour Locations Act, No. 5, 1899.

³ The Native Locations Acts of 1884 and 1892.

⁴ Act No. 1, 1899, "For the better prevention of the crime of cattle stealing and kindred crimes."

⁵ A summary of the Acts relating to passes is contained in Act No. 16, 1895, "To declare the law relating to fraudulent passes."

passes in order that they may be protected from arrest in mistake for absconding indentured Indian servants.¹

§ 3. RECOMMENDATIONS OF NATIVE LAWS AND CUSTOMS COMMISSION, 1883

In connection with this subject it is to be observed that in 1883 the Cape Colony Pass Law was made the subject of inquiry by the Native Laws and Customs Commission (*Report*, p. 50), which reported as follows:—

“The law requiring natives entering the Colony, or travelling from one place to another, to be provided with a proper pass, duly signed by a qualified officer, has been a subject of inquiry by the Commission; and we have come to the conclusion that in the now altered circumstances of the Colony, this Pass Law should be repealed, and the natives encouraged to seek employment in the Colony without the irritation and inconvenience and loss of time entailed by what is known as the Pass System. The Commission, therefore, unanimously recommends the repeal of the provisions of Act 22 of 1867, and for the following reasons:

- “(a) The anomalous condition of the present law, as set forth in the memorandum of the Attorney-General, dated 19th September, 1881, laid before Parliament in the session of 1882 (A.91, 1882), according to which the Kafirs belonging to the native locations in King William’s Town and East London division, and the Tambookies of the Tambookie Location, Queenstown, not being holders of certificates of citizenship, are the only natives within the Colony subject to the penalties of the Act, while the natives belonging to the recently annexed territories are not so subject, and the Fingoes are altogether excluded from the operation of the law.
- “(b) The provisions of the Cattle Removal Act, No. 14 of 1870, if put into operation, and the Vagrancy Act of 1879, if carefully carried out, appear to supply all the necessary safeguards for the protection of property, and to check the evils of promiscuous roaming without any definite object on the part of natives, more especially as it may fairly be hoped that the newly organised police force will effectually contribute to the enforcement of these enactments.
- “(c) The facility with which the best devised system of passes has been and may be evaded by the manufacture and issue of spurious passes by dishonest persons.

¹ Law No. 28, 1897.

“(d) The disabilities imposed upon natives of the better class by the Pass Law.

“The Commission, however, does not lose sight of the fact that many of the natives themselves consider ‘passes’ a protection to them when travelling in the Colony. To meet this, we suggest that protection papers or pass tickets might still be issued, on application, by the several magistrates, magistrates’ clerks, inspectors of locations, and other pass officers, to all who may wish for them, and who may be legitimately engaged in travelling from one place to another—provided that none be given to persons convicted of serious offences, or of known bad character. A simple form of ‘pass ticket’ might be adopted, stating the bearer’s name, location or residence, where proceeding, and for what purpose. We also think that much good may be accomplished if employers of native labour adopt the practice recommended by Captain Blyth to give their servants, when leaving their employ, a certificate stating length of service, character, and qualifications.”

The report of this Commission has never apparently been acted upon; and the answers of the Committee’s correspondents on this subject (see Appendix A) suggest that public opinion at the present time would support the finding of the Commission, and that a desire is felt to see effect given to it by legislation adapted to local requirements.

§ 4. TRANSVAAL

A few words may be said as to the special Pass Laws which prevailed in the mining districts of the Transvaal prior to the war, and which were the subject of animated controversy when it broke out. According to the evidence given by Mr. C. S. Goldmann and others before the Industrial Commission of Inquiry held in the Transvaal in 1897, these laws were necessary to control the natives, to ensure a binding contract between the mining companies and their employés, and to afford complete protection to the natives coming to and going from the gold-fields. These considerations (it is said) induced the heads of the mining industry to frame a law which, in their opinion,

was to give mutual satisfaction to the Government, the employer, and the employé. This law was duly passed, and is known as "No. 31, 1896." It purported to be "for the purpose of facilitating and promoting the supply of native labour on the public diggings of the Republic, and for the better controlling and regulating of the natives employed, and the relations of employer and native labourer." It was applicable to "proclaimed public diggings," and did not affect existing Pass Laws, of which there were several, in so far as they were not conflicting. Such public diggings were divided into as many labour districts as there were mining commissioners. Every native on entering a district, being in possession of the pass required by the existing Pass Law, was directed to repair to the district office and get a pass and badge. The pass officer entered a description of the native on a register, and delivered to him a district pass and a metal badge stamped with the native's registered number, the initial letters of the labour district, and year of issue. The badge was to be attached to a strap and worn on the left arm. Thus labelled, the native was at liberty to seek employment for three days. If he were successful, the employer entered on the district pass certain particulars, and, taking the district pass from the native, he gave in exchange an employer's pass, which required a monthly renewal and payment by the native on each renewal of a sum of two shillings. A native who afterwards wished to move from one district to another, or to go home, was required to procure a travelling pass for a fee of a shilling, which was only issued if he delivered up his badge and his district pass filled up with a form of discharge by his employer. Any native found without either district, travelling, or employer's pass was to be at once arrested, and was punishable by fine, imprisonment, and flogging. The foregoing is a brief outline of the

complicated and irksome provisions of this Pass Law, No. 31, 1896.

Mr. Goldmann complained that the fees derived from the issue of passes went to increase the revenue, instead of improving the efficiency of the administration of the Pass Law. He also said that in 1897 the law was only applied in three districts, *viz.* Krugersdorp, Johannesburg, and Boksburg, each of which was administered by a pass officer and his staff. In these districts there were 120,000 registered natives. He pointed out that the whole intention of the law was "to have a hold on the native whom we have brought down, be it from the east coast, south, or from the north, at a considerable outlay to ourselves, but experience has shown that the law is broken with impunity, that the boys desert, that the money spent in bringing down these boys is lost, and no detection of their desertion is effected." In his opinion the law, though intricate, was good, and under proper administration easily operative. Another witness before the Commission said that in his district of Boksburg the gaol had been overcrowded with deserters who had failed to procure a £3 fine; and as there was no further prison accommodation, the Landdrost was obliged to reduce the fine from £3 to 3*l.*, which showed how unmanageable the system had become.

The merits of this complicated system are altogether doubtful. In fact, it appears that, notwithstanding the alleged lax administration of the Pass Law, the "tronk," or gaol, was always full of "boys" who were never fetched by their employers, but who were left to serve their time. Some of the evidence tends to show that natives were subjected to ill-treatment in going to and from the gold-fields, and that, after having been hired, they were left in the lurch by contractors who absconded without giving them passes. Thereupon the unfortunate natives were

arrested on the charge of having no pass. It also appears that the stipulation as to a pass being renewed on the first of every month was unworkable. Innocent natives were frequently arrested and fined before their employers had given them a renewal. Mr. F. W. Kock, Chief of the Pass Department of Johannesburg, said that the law was good, but required amendment, and made several suggestions with regard to improvements in the administration and the law itself. He thought all the divisions of the Witwatersrand gold-fields should be made subject (as to the Pass Law) to a Chief Administrator responsible to the Minister of Mines, with a Special Commissioner for the Johannesburg area. This would ensure an identical administration in all the districts. Referring specially to Mr. Kock's evidence, the Commission, in its report, recommended that the carrying out of the Pass Law should be placed under the control of a local Board on the gold-fields, and that the whole administration of this law should be placed under the control of the Superintendent of Natives instead of the Minister of Mines.

Since this recommendation was made, the law was amended by an Executive Council resolution of January 18th, 1899;¹ and it was among other things enacted that every employer having in service more than twenty labourers should be obliged to keep a register of all native labourers in his employ, and those who employed a smaller number should notify the issuer of passes whenever they employed a native. The Pass Offices at Johannesburg, Boksburg, and Krugersdorp were also to be provided with pass waiting-houses of adequate size, in which should be placed all coloured persons found within the labour districts without a pass. Here they were to be detained for identification by their employers. Failing identification they might be allotted to those in want of labour, a

¹ *Chamber of Mines Tenth Annual Report*, 1899, p. 431.

dangerous provision, as it seems to us calculated to lend itself to abuses. Complaints of desertion appear, however, to have continued numerous. The reason seems to be simple, the difficulty of identifying a native after he has thrown away his pass and badge or procured a pass from another. "It has to be acknowledged," said Mr. Kock, "that when a native throws away his passes and badge, he cannot again easily be identified by any of the pass officials, and I challenge anyone to describe a native, and register him in such a way that he would be able to identify him without the aid of his passes and badge, out of 60,000 other natives." On the whole, the system seems to be open to grave objections without possessing counterbalancing advantages.

CHAPTER XI

EDUCATION

§ I. THE NEED OF EDUCATION

FEW things more closely concern the future of South Africa than the education of its native and coloured peoples. Very many natives have abandoned their tribal life, and have to take their place in the white communities. The transition is easily accomplished, but it is full of peril for the native. He passes suddenly and without preparation from a life ordered by rigid custom and authority into a society based on individual freedom. The tribal morality of his people that guided his life in the kraal needs adaptation to the new conditions, and too often it is impaired or destroyed by the influences of town life. Moreover, the character of the native is singularly plastic, and, without a preliminary training in habits of self-control, he is eminently unfitted for life in a civilised community. It is little wonder that town life becomes to him, as one of our correspondents¹ says, "a source of moral corruption from which but few who go there escape." Against these dangers a sound system of education should afford him a much needed protection. "The crying need," writes Mr. L. L. Michell, "now is to give the natives rudimentary education and the elementary virtues of honesty, truth, cleanliness. A boy unspoiled by contact with large mining centres, to which European rascality naturally gravitates, is often

¹ Rev. D. Bryant.

the equal in many ways of a white man. Privately and in business I have employed many boys, Zulu, Basuto, and others, for long periods, and found them for honesty and patient, cheerful discharge of duty unsurpassed. A tincture of education, religious and otherwise, acquired at Lovedale or Keiskama Hoek, has kept many a boy straight and set him on a career of usefulness in after-life."

If the need of an efficient system of native education is great, the difficulties of providing it are scarcely less so—difficulties arising from the numbers of the coloured people as compared with the whites, the vast areas over which the former are scattered, the differences of language, and the necessity of adapting European methods of education to native requirements. No work is more deserving of support. Unfortunately, it still has to overcome the distrust and opposition of a considerable section of the white communities. Racial prejudices are seldom more active than in opposing the extension of educational work. It is true that the principle of native education has been recognised by the State. Owing largely to the influence of Sir George Grey, and the object lesson afforded by the successful work of some missionary institutions, the Government of Cape Colony has acknowledged its responsibility in the matter. The Natal Government to a less degree has adopted a similar policy. The Imperial Government is also alive to the importance of the question with regard to Basutoland. Very much, however, remains to be done. The work is still mainly dependent on missionary effort supported by European charity. The Government grants are still exceedingly meagre, and the education system is in great need of extension and organisation. There are no Government schools, and the scattered mission schools, starved for funds and hampered for want of teachers, are often hopelessly inefficient. The principle

that the natives ought to be educated has indeed been accepted, but with reservations that rob it of much of its value, and it has yet to win the general support of the colonists, without which it cannot attain the best results.

Desiring to recognise to the full the good work that has already been done, we shall endeavour to describe as concisely as possible the various systems of native education in South Africa.

§ 2. CAPE COLONY

There are no special or separate Government schools for the coloured or native children. Provision, however, is made for the education of coloured children in the mission schools of the Colony proper, and of native children in the aborigines schools of the frontier and Transkei, carried on by missionaries or religious bodies. According to the report of the Superintendent-General of Education for 1898, there were in that year 585 mission schools and 474 aborigines schools, having in the last quarter of the year a total of 79,749 coloured and native children on the rolls, of whom 39,979 were boys and 39,770 girls.

The mission and aborigines schools are subject to Government inspection, and they are aided by Government grants. In 1898 the total grant for the mission schools was £24,295, and for the aborigines schools £17,019 10s., the grant per pupil present at inspection being 12s. 6 $\frac{3}{4}$ d. for the mission schools, and 14s. 1 $\frac{1}{2}$ d. for the aborigines schools. In comparison with the grants to the lower class white schools, those to mission and aborigines schools are on a very low scale, the grant per pupil at a white poor school being £2 8s. 2 $\frac{1}{4}$ d., and at a third-class public school £1 19s. 3 $\frac{3}{4}$ d. The local contribution to the mission schools in the same year

was £13,929 5s., and to the aborigines schools £7,299. The mission schools for coloured children and the aborigines schools appear to be almost exclusively confined to coloured and native children, though the low fees have induced a few of the poorest whites to send their children to them.

Many of the teachers in these schools are native or coloured. For the training of native teachers special schools, known as aborigines training schools, have been established. In 1898 there were eleven of these schools in the Colony; and the report of the Superintendent-General of Education for that year records a marked advance in the work done by them. The number of certificated teachers trained by them during 1898 was 64, as against 53 in 1897, and 32 in 1896; and of these 64, 19 were trained at Healdtown, 10 at Lovedale, and 8 at St. Matthew's. The progress was even more marked in the case of the first year's pupils. In 1897, 361 of such pupils were examined, and the same number in 1898; but whereas in the former year only 154 passed, in 1898 the number was raised to 218, and 9 of these reached the first grade.

The records of the Educational Department show a very marked progress in recent years. During the six years preceding 1899 the number of schools of all kinds in operation in the Colony rose from 1,510 to 2,588—*i.e.* an increase of no less than 1,078. The coloured and native people, however, shared only to a comparatively small extent in this advance. In spite of their great preponderance in numbers, only 298 of these schools were opened for their benefit. On the other hand, there is one satisfactory circumstance—a native school, owing to the care of the missionary superintendents, is a more permanent institution than a white school. The Superintendent-General of Education, in his report for

1898, states that "when an aborigines school is once admitted to the Government list, it may be viewed as a permanency"; and he contrasts this state of things with the condition of the poorer white schools, of which he says: "It is almost literally correct to say that of every two called into existence, one is certain to die." According to the same report, 60 additional aborigines schools and 32 additional mission schools, out of a total of 200 additional schools of all kinds, were opened during 1898; and of the 293 schools closed during that year, only 3 were aborigines schools and 17 mission schools. The large increase in the number of the aborigines schools appears to have been due to a forward educational movement amongst the Transkeian native population. The same report draws attention to the falling off in the attendance of coloured children in the Cape division. For this no satisfactory reason is given.

The education given to the coloured and native children and the standards reached by them are, according to the reports of the inspectors, not very satisfactory. The old Cape Government Code corresponded closely to the English, but with certain modifications. Of late years changes have been introduced on the lines of the Scotch Code. By the regulations of the Education Department, the course of instruction is the same for coloured and native as for white children. The former, therefore, have to do their work and pass their examinations in English. This no doubt prevents them from reaching as high a standard as they otherwise might, and complicates the training of the coloured and native teachers. The statistics show that the children in these schools at present reach only a very moderate level. In 1898, 570 out of every 1,000 children in the aborigines schools and 646 out of every 1,000 in the mission schools were returned as below Standard I. Only 13 out of every 1,000

in the aborigines schools and 3 out of every 1,000 in the mission schools got beyond Standard IV. Comparatively few of the children passed Standard III., and they can therefore hardly be said to have received an education adequate for an ordinary skilled mechanic. The progress in the mission schools compares very unfavourably with that in the industrial and day schools at Lovedale and Healdtown. The backward condition of the former appears to be largely due to irregularity of attendance, overcrowding, paucity of teachers, and incompetent management.

The state of higher education is even more unsatisfactory. The Government does not give grants beyond Standard V. in elementary education ; and, in order to obtain Government assistance, it appears to be necessary, as a general rule, to enter a scholar for the first year normal course, which is the same for coloured children and natives as for whites, and is too great an advance on Standard IV. for the ordinary coloured or native child to make, handicapped as he is by the compulsory use of English. From the public schools the coloured and native children are practically debarred. In some districts there is a tendency for the better class mission schools to be converted into Church third-class undenominational schools, from which also they are excluded. It is, therefore, often very difficult for a coloured or native parent to obtain education for his children above Standard III. The mission and aborigines schools are not, as a rule, competent to educate to a higher level, and they are not encouraged by the Education Department to attempt to do so.

The reports of the magistrates, commissioners, and inspectors testify to an increasing interest on the part of the natives in the education of their children ; and in some locations and native districts they have incurred

some considerable expense in building school-houses. A striking instance of the growing appreciation of education even among the conservative Pondos is mentioned in the 1899 report of the Resident Magistrate for Ngqelini (Mr. J. G. Leary). "The missionary societies, Anglican and Wesleyan," he states, "are doing good work in their schools, and their efforts are assisted by grants from the Educational Department. It is, however, a pity that a substantial grant is not made for the Buntingville Institute. This is a large double - storied building erected by the Pondos themselves, for an industrial school, at a large cost. At one time a grant was made by the Government, but on its withdrawal the school had to be closed, as there were not sufficient funds to carry it on."

§ 3. NATAL

Educational work in Natal has been seriously interfered with by the war. All schools north of Colenso have been temporarily closed, but most of the pupils have been transferred to other schools, where they generally have received education free of expense. In consequence of this disorganisation of the educational system, the returns for 1899 are incomplete with regard to many of the schools.

Comparatively little has been done in Natal to provide education for native children. Something, however, has been accomplished by missionary effort, and, as in Cape Colony, the schools carried on by the various religious bodies receive grants in aid from the Government. In 1899 there were 188 of these schools (including 29 in Zululand) under Government inspection, and of these, 26 were boarding schools, with an aggregate attendance of 2,087. The total number of children on the register at the end of the year was 10,725, with an average daily

attendance of 8,042, as against 10,248 and 7,685 respectively for the previous year. These figures are, however, only approximately correct, as, owing to the war, the returns up to September 30th, instead of to the end of the year, had to be given for about 60 schools. The average daily attendance in the native schools was about 75 per cent. of the total number of children enrolled, or 8 per cent. less than in the European schools. In the year ending June 30th, 1897, the Government expenditure for native education was £5,835, the cost per child being about 11s. 10d., as against £3 19s. 5d. in the case of European children—a remarkable difference. The native contributions shown in the incomplete returns for 1899 amounted to £622 2s. 5d. Of the 314 teachers employed in these schools, only 69 were Europeans.

The following extract from the remarks of the Inspector of Native Education on the work done in 1899 shows that while some progress is being made, there is much need of more energetic measures to put the schools on a satisfactory footing :—

“I notice an increased interest in education throughout the colony among the natives, and especially where school fees have been enforced, which, though somewhat strange, is nevertheless according to native opinion, ‘What is got for nothing cannot be very valuable.’ The year’s work has been fairly well done, the fault, where fault exists, is more that of the teachers than the taught; there are not a few teachers who would be dismissed summarily if we had better to take their places; however, something is being done to remedy this difficulty, as will be seen by reference to the teachers’ examination and figures in this report. In the direction of general improvement, both in knowledge, deportment, and practical usefulness, the boarding schools are (as compared with the day schools) very superior, and the work done at all our boarding schools is good. There is a class of day schools that is doing good work on a more limited scale; and there is another class of day schools, small,

and poorly provided, with an irregular attendance, that is excusable only on the principle that we 'should not despise the day of small things.' . . . Writing and arithmetic are the two most popular and best learnt subjects. School discipline is generally improved, but more attention to it is needed. Most of the schools would be smartened up if drill were practised regularly. The manual work done by the girls is everywhere 'Good,' and in many places 'Excellent.' It comprises in the day schools sewing and crochet, to which is added in the boarding schools knitting, washing, ironing, and general housework; the manual work of the boys in the boarding schools is fairly practical in character, that of the day schools is but a farce, and might well be dispensed with, and the time taken for ordinary school work. The explanation is a simple one, there are no facilities for useful work in connection with most of these schools."¹

There is a Government school for Indian children at Durban and another at Umgeni. During 1899 a new higher grade school for boys was opened, and was referred to in the report of the Superintendent of Education as "a great success." In 1899 the Durban Government school had 138 boys and 4 girls in regular attendance, and the Umgeni school 104 boys and 10 girls. The cost of the Durban school for 1899 was £200 17s. 3d., of which £21 18s. 3d. was collected in fees; the cost of the Umgeni school was £104 10s. 4d., and the fees amounted to £29 1s. 6d. Besides these Government schools there were, in 1899, 23 Indian schools carried on by the Church of England, 7 by the Wesleyans, 2 by the Roman Catholics, and 1 by the South African General Mission, with a total regular attendance of 1,691 boys and 325 girls. These schools received grants in aid from the Government varying from £24 to £111 per annum, and are under Government inspection. The total amount collected in these aided schools for fees during 1899 was

¹ For the state of education in Zululand *vide infra* Appendix A, p. 333, Rev. D. Bryant's reply to question xi.

£161 10s., the rate of fees varying in Government and aided schools from 3*d.* to 2*s.* per month. It appears that in most cases the fees so collected are retained by the teachers.

It is estimated that there are from 5,000 to 6,000 Indian children of school age in the colony. The Inspector of Indian Schools reports that "most of the boys resident in the various centres of population attend school, but the percentage of girls remains small." In his report for 1899 he summarises the attendance at the various schools as follows :—

Schools.	Enrolled.	In Regular Attendance.	Average Daily Attendances.
Government	451	256	216
Aided	3,110	2,016	1,627
Totals	3,561	2,272	1,843

The Inspector's report states that the work done at the Government schools at Durban and Umgeni was satisfactory. The reports with regard to the aided schools vary greatly, but a fair proportion of them seem to show creditable results. The St. Aidan's girls' school at Durban, however, is stated to be the only successful school for girls, and the Indians appear to be very indifferent to this branch of education.

Both in Government and aided schools the children are educated up to Standard IV., but the number of those who pass in this standard is very small.

§ 4. BASUTOLAND

Among the Basutos excellent work has been done by the missionaries of the Paris Evangelical Mission Society.

This society in the year 1898-9 had 153 schools in operation, with 9,400 scholars on their books, of whom about 5,300 were males and 4,100 females. Although the work of this society dwarfs other efforts in the same direction, the work done by other agencies is by no means unimportant. In the year 1897-8, according to the Government returns, the Roman Catholic missionaries had 14 schools open with 542 scholars on their books, and the English Church 13 schools with 710 scholars. In addition there were 2 undenominational schools with 83 scholars, and 3 night schools with 103 scholars, and certain foreign training institutions with 21 scholars. In all, therefore, there are nearly 200 mission schools in the country, with about 11,000 scholars on the books. The total number of native teachers is not given ; but according to the last report of the Paris Evangelical Missionary Society, the number of such teachers in the schools of this society alone was 132.

As in Cape Colony and Natal, the missionary schools in Basutoland are assisted by Government, and appear to be occasionally examined by Government inspectors. They are also subject to inspection by the magistrate as to accommodation, sanitation, and general appearance. In 1897-8 the Government expenditure on education was £3,746 6s. 4d., as against £3,810 4s. 7d. in the previous year, although the returns for 1897-8 showed a substantial increase both in the number of schools and in the number of scholars. A few sentences from the report of Canon Woodrooffe, giving some of the results of his inspection of 51 of these schools in 1898, will show the satisfactory character of much of the work done and the need for further financial assistance. "The Sesuto reading," he says, "is excellent ; the classes ranked as Sub-standard B. can read narrative which to me appears equal in difficulty to the narrative pages

of an English Standard III. book. It is probably no exaggeration to assert that three-fifths of the pupils in the native schools can read their own language fairly well. . . . The general progress denoted is highly satisfactory. But without some increase of pecuniary aid, the maintenance of the school system will become very difficult. And if ever the Government should be in a position to give further help, the assistance rendered will be most grateful. Teachers of ability can earn more elsewhere, and they are those whom it is expedient to retain." In referring to this report Sir Godfrey Lagden, the Resident Commissioner, bears testimony to the good work done in these schools. "I do not doubt," he says, "that the amounts granted in aid by Government to the mission societies, who devote themselves to the work with such care and energy, are well placed and well expended."¹

The education system in Basutoland differs materially from that of Cape Colony, as the Government has accepted the scheme of the Paris Evangelical Mission Society, and the Sesuto language is used in the schools as well as English. The fees charged to the scholars by this society are low, and do not cover the cost of board. At the Morija school it appears that the scholars who are residents of the districts worked by this society pay £5 per annum, and residents in other districts £8, and all pay an entrance fee of £1. The Government regulations do not require technical work, as in Cape Colony. This has led to some difficulty when scholars from the Basutoland schools have entered for the the Cape Government examinations for the purpose of obtaining the Cape Government certificates. Technical instruction is, however, given at the industrial institution of the Paris Evangelical Missionary Society at Quthing, where building is taught, and special attention is given to the use of stone.

¹ *Colonial Reports : Basutoland*, 1898-9, p. 8.

§ 5. THE BECHUANALAND PROTECTORATE

The educational machinery is entirely provided by missionary agencies. So far no financial assistance has been given by Government. It is understood, however, that steps in this direction are likely to be taken in the near future. During recent years the London Missionary Society has built an elementary school at Palapye, in which there are some 300 scholars, and education is given up to Standard IV. The same society also has some 800 children in more elementary schools at Palapye, and it is doing educational work at six or seven centres in the country districts. In addition it has for many years given instruction in reading and writing and simple arithmetic at all its mission stations, and it issues and sells publications in Sechuana, for which there is a considerable demand.

Educational work on similar lines is being done by the Lutheran and Dutch Reform Missions. This work appears to be attended with satisfactory results; and a large number of natives in the Protectorate read easily and intelligently, and make use of the Post Office to communicate with their friends by letter. The teaching of arithmetic is less successful; and this seems to be a very frequent failing in native schools.

The London Missionary Society proposes to open an institution for the education of the sons of chiefs and the training of native teachers, and much may be hoped from such an institution in the future.

§ 6. RHODESIA

The British South Africa Company informs us that "a very large number of native children are receiving industrial and religious education in mission schools alike in Northern and Southern Rhodesia—the Jesuits being

exceptionally active and successful in this direction." The company state that statistics will be available after the pending census is completed.

By Ordinance 18 of 1899 mission schools are entitled to Government aid on certain conditions.

§ 7. GENERAL STATEMENT

It will be seen from the particulars contained in this chapter that much is being done for the education of the natives, particularly in Cape Colony and Basutoland. Excellent work is carried on at some of the larger missionary institutions. The work, indeed, is almost entirely in the hands of missionaries of various denominations, but it is recognised by the State, and is aided and supervised by Government. The grants, however, are altogether inadequate to maintain the efficiency of the schools, many of which have not sufficient teachers.

The education given in the schools attended by natives is of a very elementary character. In Cape Colony and Natal it is on the same lines as the education given to white children. It seems probable that a curriculum better adapted to native requirements could be devised. Higher education is practically, if not theoretically, closed to natives.

The natives are often indifferent to the education of their children; but there is evidence of a growing appreciation of its benefits. Substantial amounts have been contributed by them for educational purposes. Some of our correspondents urge the necessity for a scheme of compulsory education. The inefficiency of many of the schools seems to suggest that educational work might with advantage be more centralised at well-organised institutions.

There is a strong consensus of opinion among our correspondents and others that more should be done for technical education. Many of the natives possess considerable manual dexterity, well worth developing. Practical training in better agricultural methods would be of incalculable benefit. For the sons of chiefs technical education is particularly desirable. Their example could not fail to make manual labour more popular amongst their people, and their parents could well afford to pay additional fees for the necessary instruction. Mr. Donald Strachan draws special attention to the possibility of developing the fishing industries, and notes the fact that the Kroomen make good sailors. Dairy-farming, forestry, fruit-growing, gardening, and artesian well boring are also mentioned as matters in which practical instruction could be given with advantage. A valuable suggestion is made by Mr. D. A. Hunter. "Native women," he says, "ought to be trained on a considerable scale as nurses. They could be of immense service to their people; and this is an opening for women who are widows, or who have been second or third wives and have left their husbands on becoming Christians. They are a considerable class, and not easily provided for in a satisfactory manner."

The need for a better system of industrial education is emphasised in the following communication received from the Hon. John Tudhope :—

"The researches of the Committee," he writes, "have shown very forcibly that education—the education not only of the school, but also of the workshop, the mine, the farm, the railway, and other public works—is going on very extensively, bringing home to the native mind that work is the rational condition of life. And here I would remark that it has always been a matter of regret to me that the system of industrial schools introduced by Sir George Grey forty years ago has not been developed and extended by subsequent legislation. The undoubted success that has

attended the labours of Dr. Stewart and others in that field should have convinced us that in the 'gospel of work' which they preached and practised lay the remedy for many of the ills that affected the body politic. It is quite impossible to provide land for the increasing native population. Moreover, even if it could be done, such a policy would not be advisable, for it would but tend to perpetuate the tribal system of idleness with all its concomitant evils. If the natives are to be preserved, it must be by an enlightened system of education, fitting them to take their proper place in the political system, sharing its duties and responsibilities and also its privileges. But they cannot be expected to achieve this without careful preparation. No nation has ever passed from heathenism to civilisation *per saltum*. It is only by a slow and sometimes painful process that this can be accomplished, and the natives of South Africa are no exception to the general rule. The efforts of individuals and missionary societies, supplemented by Government aid, has shown us what can be done, and that the results are sufficiently encouraging to warrant us going further in this direction."

§ 8. THE LOVEDALE INSTITUTION

A striking example of successful educational work is furnished by the Missionary Training Institution of the United Free Church of Scotland at Lovedale. This Institution was founded by the Rev. W. Govan nearly sixty years ago. It lies about 650 miles east-north-east of Cape Town, 54 miles in the same direction from Grahamstown, and 40 miles west of King William's Town. The nearest seaport is East London, about 70 miles to the south-east. The name of the institution is derived from the Rev. Dr. John Love, the first secretary of the London Missionary Society, and afterwards for many years secretary of the Glasgow Missionary Society. In its early days Lovedale was on the then frontier of Cape Colony, and an outpost of civilisation and missionary effort. Several times in its history fierce fighting between natives

and Europeans has raged around it. Twice it has been occupied by troops and refugees.

After some years of pioneer work the missionaries had come to feel the need of an institution where not only their own children could be educated, but where the more promising pupils in the scattered mission schools could be brought apart from the degrading influences of heathen kraals, and trained and educated for future usefulness, environed by a constant Christian influence. And so the institution made its modest beginning, only eleven natives and nine Europeans being enrolled on the opening day.

At the outset were two distinctive features which have continued constant factors in the policy of Lovedale to this day. One is the educating of Europeans and natives side by side, whether in the class-room, on the cricket-field, or in the religious services. It has had a more far-reaching effect than will be at first apprehended. Not a few of the magistrates and others holding positions of authority over the natives throughout South Africa are old Lovedale boys. During school days they learned to understand the native mind and appreciate the native character in such a way as to give these "magistrates-in-the-making" a peculiarly fitting training for dealing with natives in after-life. The other distinctive feature is the unsectarian character of Lovedale. The best proof of this is the readiness with which missionaries of other communions send their most promising pupils to be trained there.

At first it was not very easy to induce the natives to come and submit to the restraint and discipline which residence in the institution implied. Rather than pay fees for board and education, they thought they ought to receive wages for attending; and it took many years of patient work before the system of fees could be introduced. A start was made in 1871, when about £200 was paid by the natives for board and education. In 1899 they paid

over £3,500 ; and the total amount received for such fees during the last twenty-nine years is estimated at £45,000. The natives have also subscribed some £4,500 towards the cost of the branch establishment at Blythswood.

Lovedale of to-day is not a village or a town. It could be more accurately compared to one of our large public schools, but with much less pretentious buildings. There is the central building, where are found the large hall, class-rooms, library, etc. ; the boys' dining-hall, with kitchen and bakery ; in the quadrangle is a post and telegraph office ; a score of dormitories accommodate the lads. Further away are the various workshops ; further away still is the new hospital. On the other side, at a little distance, are the girls' school buildings. Then there are the various dwelling-houses occupied by the members of the staff. The whole place is intersected by a network of avenues and paths, and is well planted with trees. A water-furrow led from the river runs through the grounds, and serves to irrigate the gardens as well as the arable lands of the surrounding mission farm.

The scope of education reaches from the infant to the native minister. A child may enter a kindergarten class so soon as it is old enough, pass into the station school, thence into the upper school, from that into the normal training course, where a three years' training for teachers is provided ; or he may take a more literary course, and join the theological classes to prepare for the pastorate of a native congregation. Some become interpreters in the courts, some magistrates' clerks ; others go into offices or stores ; not a few engage in agricultural pursuits ; while over the length and breadth of the land are native artisans—printers, bookbinders, carpenters, waggon-makers, blacksmiths—who served their time in the Lovedale workshops, and are now able to earn good wages at their respective trades.

While the morning and forenoon hours are devoted to study, outdoor work occupies part of each afternoon. The lads are formed into companies under a "captain," and each company, armed with rakes, spades, hoes, or picks, according to the work to be done, marches off to its allotted task, be it in the gardens, on the farm, or making or repairing roads. Military drill and physical training have also a place in the day's work, and a very creditable brass band enlivens the place with its music. Each Friday evening the literary society holds its meetings; lectures, debates, papers, and occasional musical evenings fill up the programme, natives and Europeans taking part. For the girls the education is similar to that provided for the boys, save that in industrial work a three years' course of housewifely accomplishments—dressmaking, laundry work, cooking, etc.—takes the place of a trade. That the apprentices may continue their education, evening classes are conducted for them. A lad can hardly become an accurate and skilful carpenter until he is sufficiently familiar with vulgar fractions to use intelligently his foot-rule; nor does a printer do satisfactory work until he can read readily and spell correctly. Along with all these agencies the real heart of the work, its spiritual end, is kept steadfastly in view.

Lovedale draws its students from a wide area: nearly every tribe south of the Zambesi is represented, and several lads have come for training from the distant districts round Lake Nyasa. Its influence, therefore, must not only be reckoned as reaching the 700 to 800 who meet in its class-rooms and workshops day by day, for as each generation of students and apprentices scatters, that influence is carried to many a remote kraal.

Although much above the standard of the ordinary mission schools, the educational level reached is not a high one. Very few—probably not more than two or three

a year—of the Lovedale scholars get as far as the matriculation examination of the Cape University; only a few pass out of the institution as certificated teachers; and the class of theological students generally numbers only from six to ten.

The detailed numbers of the scholars are given in the annual report for 1899 as follows:—

BOYS' INSTITUTION

Boarders: Native pupils	295
„ apprentices	74
Europeans	2
Day pupils: Native	45
European	21
	<hr/> 437

GIRLS' INSTITUTION

Boarders: Native pupils	107
„ workers	36
Day pupils: Native	48
European	16
	<hr/> 207
Elementary Schools	183
	<hr/>
Total on books during year	827
	<hr/>

A strong testimony to the success of the work of Lovedale is contained in the following description of the institution by an inspector, quoted by Mr. W. Greswell in a paper on Native Education read before the Royal Colonial Institute:—

“I was most favourably impressed by Keiskama Hoek and Lovedale. The latter works on a grand scale. A visit to Lovedale would convert the greatest sceptic regarding the value of native education. The great organising power of Dr. Stewart appears on every side. The staff is large and able, and the civilising effect of the whole institution is remarkably felt. It may have its defects, but the scheme is at present the most complete, the largest, and most successful of its kind in the country, and the institution as a whole, is probably the greatest educational establishment in South Africa.”

CHAPTER XII

TAXATION

§ 1. NATIVE CONTRIBUTIONS TO REVENUE

FORMERLY, under their old chiefs, the natives paid neither rent for land nor fixed taxes, yet they were liable from time to time to perform a considerable amount of labour for the chief without pay and occasionally to make to him presents of cattle. It is impossible, however, to make a comparison between their former liabilities and the taxes now paid by them. They are, generally speaking, coming round to an appreciation of the benefits derived from public expenditure and good administration, and to a recognition that good government must be paid for.

Although not excluded from the systems of taxation in force in the various colonies, the great mass of South African natives make their chief contributions to revenue under hut, poll, and other taxes not imposed on the white population. In Cape Colony the coloured people and many of the natives live outside locations and under practically the same conditions and subject to the same fiscal system as the whites. In Natal the number of natives exempt from hut tax is proportionately very much smaller. In Natal and Zululand, with a native population of about 749,000, hut tax was paid in 1898 on over 190,000 huts; while in Cape Colony, with a native population¹ of about 1,261,000, hut tax was in

¹ Hottentots and Bantus.

1898-9 paid in respect of only about 155,000 huts. Allowing five and a half persons to a hut,¹ it would appear that in Cape Colony over 400,000 natives do not contribute to the hut tax. Many of these natives, living in municipal locations, no doubt pay somewhat similar taxes to municipalities; but there are also a considerable number of more or less civilised natives living on land of their own. No statistics are available to show what proportion of the general taxation is borne by these civilised natives or by the coloured people; nor can any trustworthy estimate of the miscellaneous contributions to revenue obtained from the tribal and location natives be arrived at. Basutoland, owing to its comparatively trifling white population, is an exception; it appears that of the total revenue of that colony in 1898-9,² about three-fifths was derived from hut tax and two-fifths from customs duty and miscellaneous sources. Had it been possible to assume that the same ratio prevails in other parts of South Africa, it would have furnished a convenient basis on which to frame an estimate of the total revenue derived from the hut tax paying native.³ Unfortunately, the minor taxes differ in the different colonies, and the rate of hut tax also varies. Even in regard to customs duties, which are levied at a uniform rate throughout the Customs Union, and which amount in Basutoland to rather more than half the hut tax,⁴ it would probably be unsafe to generalise.

¹ *Cape Colony Blue Book on Native Affairs*, 1898, p. 63, and 1899, pp. 66 and 69. The number of persons per hut seems to be less in Natal. See *Natal Blue Book on Native Affairs*, 1898, pp. A.19, *et seq.*, and C.1, *et seq.*

² Including customs duties, but exclusive of Cape Government contribution.

³ This would give a revenue of nearly £500,000 from British South Africa, exclusive of the Transvaal and Orange River Colonies.

⁴ On an average for the four years ending June 30th, 1899 (see *infra*, pp. 195 and 201).

In the following short statement of the regulations of the various colonies regarding hut tax and of the revenue therefrom, one or two kindred sources of revenue, such as labour tax, have been included. Pass fees, certain items of customs duty, a few licences, and other miscellaneous contributions to revenue, are also briefly mentioned.

§ 2. HUT TAX.

(a) *Cape Colony*

By the Native Locations Act, 1884,¹ hut tax is payable in Cape Colony at the rate of 10s. per annum for each hut occupied by a native² either on a private location or on a location situated on Crown land. In the case of private locations the proprietor of the land is liable for payment; on Crown land the tax is payable by the occupant. The occupier of each hut in a native location on Crown land also pays an annual tax of 2s., which sum is recoverable as hut tax, but is handed over by the Civil Commissioner to the Divisional Council to be applied to the same purposes as road rates.³ The Native Locations Act does not apply to native locations within the limits of a municipality. By the Native Locations Amendment Act, 1899,⁴ hut tax is not to be chargeable in respect of any occupant of a native location so old or chronically infirm as to be incapable of rendering service.

It is convenient here to deal with one or two other taxes more or less akin to hut tax or collected in the same manner.

Under the Glen Grey Act,⁵ each male native fit and

¹ Act 37 of 1884.

² "Kafirs, Fingoes, Basutos, Hottentots, Bushmen, and the like."

³ Act 33 of 1892, sects. 16-18.

⁴ Act 30 of 1899.

⁵ Acts 25 of 1894 and 15 of 1899.

capable of labour, who resides in the districts subject to the Act and holds no land either by ordinary quit-rent or freehold title, is required to pay a labour tax of 10s. per annum, unless he has been at work outside the district for a period of three months during the previous year; but a native who has at any time worked for a total period of three years, consecutive or otherwise, is entirely exempt, and the magistrate may grant exemption in certain other cases.¹ The Act also provides² for the levying of rates for local purposes by the district councils and the Transkeian General Council.³

Divisional councils are empowered to supplement rates levied for the purposes of the Public Health Acts by levying upon each hut or dwelling in a native location within the district the sum of 1s. for every farthing in the pound levied upon the assessed owner of ordinary rateable property, such rate to be recovered in the same manner as hut tax.⁴

The amount of hut tax, etc., collected in Cape Colony and the other divisions of South Africa is given in the appended tabular statement.⁵

(b) *Natal*

The regulations framed under Law 13 of 1875 for the collection of hut tax in Natal are contained in the Government Notice No. 91 of 1894.⁶ The chiefs and headmen are required to assist in collecting. The tax of 14s. per hut is to be paid in respect of all huts occupied or used by natives otherwise than exclusively for cooking

¹ The proceeds of this tax are devoted to the establishment and maintenance of native schools.

² Act 25 of 1894, sect. 48, and Proclamation No. 352 of 1894.

³ See *supra*, chap. iv. pp. 65-6.

⁴ Acts 40 of 1889, sect. 211, and 23 of 1897, sect. 68.

⁵ *Infra*, p. 195.

⁶ *Natal Blue Book on Native Affairs*, 1897, pp. 36-7.

or store purposes, and the occupation of any one hut by more than one married woman is to be considered an evasion.

Houses of European construction, inhabited by natives having only one wife and otherwise conforming to civilised usages, are exempt from hut tax;¹ but by a later law² a house tax is payable in respect of all occupied dwellings, and native houses exempt from hut tax pay 14s. per annum.

Although Zululand now forms part of Natal, the regulations in regard to hut tax are not identical. In particular, there are no exemptions, and a hut tax of 14s. is payable in respect of all huts or houses inhabited by natives.³

(c) *Basutoland*

Hut tax has, for a number of years, been payable at the rate of 10s. per hut, but an increase of the amount to £1 was effected in the year 1899-1900.⁴

(d) *Rhodesia*

The rate of hut tax is 10s. per hut.⁵ The Administrator of Mashonaland states,⁶ in reference to hut tax collected in 1898: "In Mashonaland the collection, which will shortly be completed, will amount to £42,000 for the current year, and in Matabeleland, where the tax was levied for the first time in July last, the collection, which totalled £22,000, was considerably in excess of the

¹ The returns show that in 1898 there were 777 such houses in Natal (*Blue Book on Native Affairs*, 1898, p. A.50).

² Law 50 of 1887.

³ Proclamation 12 of 1896 (*Natal Government Gazette*).

⁴ *Colonial Reports-Annual*, No. 313.

⁵ Ordinance 5 of 1894.

⁶ *British South Africa Company's Report*, 1897-8, p. 103.

estimates of the native officials, and collectors report that there has been little, if any, attempt at evasion."

It appears from the Administrator's report that a moderate increase in the amount of hut tax was then under consideration. The report of a Committee appointed in 1899 to consider the question of native administration, however, suggests that a poll tax on unmarried males would be more effective in inducing the natives to perform that amount of work which would be of benefit to themselves as a people and to the country at large.

Under the Bulawayo and Salisbury Sanitary Board Location regulations¹ every registered occupier of a hut or dwelling in the native locations within the townships is required to pay to the Board the sum of 5s. per month as occupation licence, and every adult male domiciled with a hut-occupier must take out a location permit, for which a fee of 2s. 6d. per month is payable.

(e) *Transvaal*

The average tax payable by each adult male native, in the native districts, was said in 1897 to 'amount to about £2 10s. per annum. In addition to the 10s. hut tax, a capitation fee of £2 was payable, as well as 2s. 6d. for road tax; but natives residing as servants under white masters were exempt from these taxes.²

(f) *General Statement*³

The table on the opposite page shows the amount of hut and poll tax collected in recent years.

¹ Government Notices Nos. 12 and 25 of 1895.

² *Evidence of Mr. C. S. Goldmann before Industrial Commission*, 1897, pp. 117 and 129.

³ No particulars are available in regard to the Bechuanaland Protectorate.

TABLE SHOWING THE AMOUNT OF HUT AND POLL TAX COLLECTED IN RECENT YEARS

	1893-4	1894-5	1895-6	1896-7	1897-8	1898-9	1899-00
Cape Colony ¹ —Ordinary Hut Tax	£57,359	£58,838	£76,101	£76,685	£79,594	£77,727	—
Labour Tax	—	50	533	174	36	46	—
Act 33 of 1892	2,148	2,567	2,115	1,643	1,843	2,947	—
Public Health Act	—	740	126	—	—	—	—
Total	£59,507	£62,195	£78,875	£78,502	£81,473	£80,720	—
British Bechuanaland, ² Hut Tax	3,941	5,283	—	—	—	—	—
Basutoland, ³ Hut Tax	21,579	21,905	22,966	22,810	23,438	23,678	£47,947
Rhodesia ⁴ —Mashonaland, Hut Tax	—	—	18,891	4,736	19,000	42,000	—
Matabeleland, Hut Tax	—	—	—	—	—	22,000	—
Natal, ⁵ Hut Tax	—	1895	1896	1897	1898	—	—
Zululand, ⁶ Hut Tax	85,375	84,439	85,474	88,326	90,339	—	—
Amatongaland, ⁷ Hut Tax	34,500	35,000	39,000	40,200	43,160	—	—
Transvaal ⁸ —Native Hut and Personal Taxes	72,278	74,832	90,721	104,705	110,182	—	—
	1894-5	1895 (ten months)	—	—	—	—	—
Orange Free State—Native Poll Tax ⁹	13,000	7,810	16,410	17,429	19,686	—	—

¹ *Statistical Registers*, Cape Colony.² *Colonial Reports—Annual*, No. 163, 1896. Annexed to Cape Colony in 1895.³ *Colonial Reports—Annual*, Nos. 123, 152, 186, 224, 255, 288, and 313.⁴ *British South Africa Company Directors' Report and Accounts*, 1896 and 1897, and *Report on Administration of Rhodesia*, 1897-8, pp. 103 and 107.⁵ *Natal Blue Book on Native Affairs*, 1898, p. A.35.⁶ Except as regards 1898 (taken from *Natal Blue Book on Native**Affairs*, 1898, p. C.6) the figures given are only approximate, being taken chiefly from the official estimates.⁷ Now the Maputa district of Zululand (*Natal Blue Book on Native Affairs*, 1898, p. C.48).⁸ The figures for 1894-6 are taken from *The Report of the Industrial Commission*, 1897, p. 570; those for 1897 and 1898 from the *Staats Courant*, South African Republic, for February 16th, 1898, and February 15th, 1899.⁹ *Statesman's Year Books*, 1896-1900.

The natives have grown accustomed to hut tax, and are said to pay it, as a rule, cheerfully; but the present system of collection tends apparently, in some districts at least, to produce a degree of overcrowding in the huts, undesirable both from a sanitary and a moral point of view. Mr. J. J. Field, Magistrate of the Mapumulo division of Natal, refers to this subject in his annual report for 1898 as follows¹:—

“From very careful inquiries made during the hut tax collection, I am satisfied that there is overcrowding in a large majority of kraals. I ascertained that there are only 180 ‘amalau’ (single men’s huts) in the whole division—that is, about one ‘ilau’ to every 14·3 kraals. There are a large number of single men and girls in nearly every kraal. In the absence of an ‘ilau’ these young people usually occupy the hut of some married relative. I have questioned the older men upon the subject, and while they freely admit the undesirability, for obvious reasons, of such a state of affairs, they candidly confess that ‘amalau’ huts are not erected chiefly because the young men will not pay the hut tax due on such huts. Wattles and thatch are obtainable free of charge in the locations, so that the actual outlay for a hut is infinitesimal. I certainly consider that provision should be made by which unmarried men, of an age to be fixed upon, should be prohibited from sleeping in a hut occupied by women or girls.

“Cases have come to my notice where a widower, at the death of his wife, has destroyed his hut, and, together with his children, some of whom were grown up, removed to, and used, a hut occupied by a married brother of such widower, the reasons assigned for such a manifest indecency being almost invariably that the widower had no money with which to pay hut tax, and could not go out to earn it, as he had to stay at home and look after his ‘orphans.’”

In 1899 the Rhodesian Committee, appointed to consider the system of native administration, expressed the opinion “that in any future taxation a poll tax should

¹ *Natal Blue Book on Native Affairs*, 1898, p. B.5.

be imposed upon unmarried male adults, who at the present time are able almost entirely to evade payment of tax by joint occupation of a hut, it being stated that as many as six or eight are in the habit of living in a hut, for which, under the present law, only 10s. is payable."

The Rev. W. C. Willoughby also expresses the opinion that hut tax tends to overcrowding, and suggests that some better method of taxation should be introduced.

§ 3. FEES ON PASSES¹

(a) Natal

By Natal law² a native requires a pass either to leave or enter the colony, such pass being valid for the return journey within a year, and a fee of 1s. is payable for each pass issued. No charge is made for local passes, including passes between Natal and Zululand.³ The revenue derived from this source in 1898 was in Natal proper £4,377 14s., and in Zululand £453 8s.⁴

Indians indentured under Law 17 of 1895 who refuse, after the expiry of their indentures, either to reindenture themselves or to return to India, are required to pay £3 per annum for a pass or licence to remain in Natal.

(b) Rhodesia

In certain townships natives seeking employment require passes, and contracts of service made with a native are not valid unless registered. On registration the registrar issues a certificate of service, stamped, at

¹ For details as to the different Pass Laws see *supra*, chap. x. p. 159. Apparently no fees are payable for passes in Cape Colony.

² Laws 48 of 1884 and 52 of 1887, and see Rules of July 17th, 1899.

³ Zululand Annexation Act, Law 37 of 1897, sect. 20.

⁴ *Natal Blue Book on Native Affairs*, 1898, pp. A.34 and C.6.

the cost of the employer, with 1s. for each month of service contracted for.¹ No contract of service made by a labour agent with a native for employment beyond the limits of the territory is binding on the native unless registered in the office of the Native Commissioner, who notes particulars of the contract, and issues a certificate of service stamped, at the cost of the agent or employer, with 5s. for every month of service, or not less than £1 in all.²

(c) *Orange Free State*

The charges for native passes are said to have been ³ 6d. for a pass to travel in the State; and for a pass to leave or travel through the State 1s.

(d) *Transvaal*

The Pass Law in force in the proclaimed districts of the South African Republic contained elaborate provisions framed in the interest of the employer, and designed to give him a hold on the native, who had often been imported at considerable expense.⁴ In addition to payments of 1s. each on travelling passes and notes of leave, the native working in the proclaimed districts was obliged to hold an "employer's pass" bearing a 2s. stamp, which pass had to be renewed every month. The penalties for non-compliance with the law included, in the case of natives, fines, imprisonment, and a limited number of lashes.

¹ The Registration of Natives Regulations, 1895.

² The Natives Employment Ordinance, No. 9, 1899, sects. 12 and 15.

³ *Natal Almanac*, 1898, p. 371.

⁴ Law 31 of 1896, as amended by Executive Council resolution, art. 56, dated January 18th, 1899. See *Evidence of Mr. C. S. Goldmann before Industrial Commission*, 1897, pp. 106, 109-11. It appears that from thirty companies furnishing a return, 12,355 natives deserted during a period of less than twelve months.

Mr. Fitzpatrick states¹ that the fee on passes was originally imposed at the rate of 1s. per month for the purpose of hospital maintenance at Johannesburg; but that a fixed grant of £30,000 a year was substituted by the Raad. The fee was subsequently increased to 2s. a month, at the suggestion of the employers, in order to defray the cost of a more effective administration of the Pass Law.

Mr. C. S. Goldmann estimated in 1897 that the total annual receipts from passes in the proclaimed districts of Krugersdorp, Johannesburg, and Boksburg, amounted to £150,000, and that the annual cost of administration was only £12,160.² The Transvaal Government's expenditure under the heading "Natives" amounted in 1898 to £438. It appears from Mr. Fitzpatrick's statement that the above mentioned sum of £30,000 must also be considered as paid out of pass fees.

§ 4. CUSTOMS

The following items in the tariffs of Rhodesia and the South African Customs Union (including Cape Colony, Natal, Basutoland, Bechuanaland Protectorate, and the Orange Free State) specially affect natives:—

	Duty.
Kafir beads	3 <i>d.</i> per lb.
Kafir picks and hoes	6 <i>d.</i> each.
Blankets and sheets, or rugs, cotton or woollen	20 per cent. <i>ad valorem</i> .
Shawls	" "
Tobacco not manufactured	2 <i>s.</i> and 2 <i>s.</i> 6 <i>d.</i> per lb.

The average value of the beads imported appears to be about 5*d.* a pound,³ and the duty of 3*d.* a pound is therefore equivalent to 60 per cent. *ad valorem*.

¹ *The Transvaal from Within*, pp. 103-4, and note.

² *Evidence before Industrial Commission*, 1897, p. 109.

³ See *Statistical Registers* giving quantities and values.

Similarly, the average value of Kafir picks and hoes appears to be from 6*d.* to 7*d.* each, so that the duty charged amounts to from 85 to 100 per cent. *ad valorem*. The object of taxing these primitive agricultural implements so heavily is doubtless to accelerate the adoption by the native of a more satisfactory method of cultivation. Ploughs are admitted free of duty.

In Cape Colony the duty received in 1898 (including, however, goods entered for removal to places outside the South African Customs Union) amounted to £4,459 for picks and hoes, and £3,781 for beads. The corresponding figures for 1899 were only £2,459 for picks and hoes, and £1,749 for beads.¹

For the year 1898 the duties charged in Natal were : for picks and hoes, £992 ; and for beads (then charged at 2*d.* a pound), £2,813. The following estimate of the value of goods imported into the colony of Natal for Kafir trade in the year 1898 is taken from the Natal Blue Book on Native Affairs, 1898² : beads, £5,200 ; blankets and sheets (cotton), £26,000 ; blankets and rugs (woollen), £10,000 ; Kafir picks and hoes, £1,500 ; shawls, £1,000 ; tobacco not manufactured, £600 ; goods not enumerated, £120,000 ; total, £164,300. It should, however, be mentioned that in 1898 the duties on some of these articles were lower than at present, being 15 per cent. on blankets and rugs, 5 per cent. on shawls, and 2*d.* a pound on beads.³

In Basutoland, where the population is almost entirely native, the principal articles of import are woollen and cotton goods, haberdashery, saddlery, tinware, agricultural implements, and groceries, the first item representing about 45 per cent. of the total imports.⁴

¹ *Statistical Registers*.

² At p. A.49.

³ *Statistical Year Book*, Natal, 1898.

⁴ *Colonial Reports-Annual*, 1894-5, No. 152, p. 10.

The following statement of imports, customs earnings, and exports is taken from the annual colonial reports relating to Basutoland ;¹ but the figures do not include an amount of cash trade, approximately estimated at £30,000 per annum, done by the Basutos with the neighbouring stores in the Orange Free State.² It must also be noted that the customs earnings do not represent the whole amount of duty paid by the consumer. In accordance with the provisions of the Customs Union, only a proportion of the total duty paid at the port of entry is credited to the inland state. In regard to the last three years, the customs earnings given in the statement represent 85 per cent. of the total duty paid. The principal articles of export are wool, horses, cattle, mealies, mohair, Kafir corn, and wheat.

	1894	1895-6	1896-7	1897-8	1898-9	1899-1900
Dutiable goods imported ³	£68,674	£104,858	£135,560	£100,280	£93,683	£85,528
Customs earnings	—	11,146	14,471	10,700	11,017	12,224
Exports	83,408	¹⁸⁹⁵ 139,496	124,911	138,499	82,616	133,865 ⁴

Apart from the effect of the war, which in the year 1899-1900 prevented the importation of merchandise for many months, the fluctuations in the volume of trade are partly attributable to accidental circumstances, such as the rinderpest, drought, internal disturbances, or the prices obtained by the Basutos for their produce ; but that the fluctuations are also in part due to changes in

¹ *Colonial Reports-Annual*, Nos. 152, 186, 224, 255, 288, and 313.

² *Id.*, No. 186, p. 11.

³ The figures given for imports are for the years ending March 31st ; those for customs earnings and exports are for the years ending June 30th.

⁴ Including horses, £64,032, as compared with £14,092 for the previous year.

the rates of customs duties appears from the following extracts from the colonial reports. In the official report on trade for the year 1897-8¹ it is stated :—

“The customs earnings have suffered by the operation of the tariff which came into operation on July 1st, 1897, under which the *ad valorem* rate on imported goods was reduced from 12 to 9 per cent. On the other hand, the proposed new tariff, when in operation, may be expected to add considerably to the amount to be credited to Basutoland, woollen and cotton manufactures (upon which the new rate of 20 per cent. is to be imposed) constituting a large proportion of the Basutoland imports.”

The report of the Government Secretary of Basutoland for 1898-9 contains the following² :—

“There has been a slight falling off in the total value of imports, and a slight increase in the customs revenue, a result due in some measure to the operation of the new tariff, under which blankets and woollen goods are imported at an increased rate of 20 per cent. *ad valorem* duty.”

The policy of imposing exceptionally heavy duties on articles necessary to, or chiefly consumed by, the natives is open to objection. The gradually increasing demand among the natives for various articles of commerce is justly considered a very hopeful sign of progress. Mr. John L. Knight, Resident Magistrate of the Nkandhla District, Zululand, in his annual report for 1898, after estimating that out of a total revenue of £6,526 collected in his district, £6,058 were contributed directly by natives, goes on to say³ :—

“The native population also contributes largely towards the customs revenue, not only due to the duties being higher on native goods, but to the fact that their wants are increasing rapidly. Many articles which a few years ago were not thought of are now a necessity, such as

¹ *Colonial Reports-Annual*, No. 255, p. 13.

² *Id.*, No. 288, p. 11.

³ *Natal Blue Book on Native Affairs*, 1898, p. C.20.

paraffin, candles, matches, pots, tinware of all descriptions, and even tinned milk for children, not to mention the increased demand for wearing apparel of every description, and trunks to store the same."

It is reasonable to suppose that an appreciable reduction of some of the duties would not only stimulate native trade and place an increased number of commodities within the reach of natives, but would also make labour and wages more attractive to the native mind.

§ 5. LICENCES

In most of the South African colonies and states a licence, for which an annual or monthly fee is paid, is required for the carrying on of many of the chief trades or businesses, and stamps and licences contribute largely to revenue. The incidence of such taxes is necessarily widely distributed and difficult to follow; and only certain licences which seem more particularly to concern the natives are here mentioned.

(a) *Cape Colony*

In Cape Colony a native labour agent or person procuring or attempting to procure natives to go to any employment outside the Colony (besides giving security) pays an annual licence fee of £15.¹ A general dealer who deals in goods not grown, produced, or manufactured in South Africa pays £3 per annum.² A hawker trading in one division only, with or without one vehicle, pays £3 per annum and £1 for each additional vehicle.³ If he trades in more than one division the fees are respectively increased to £10 and £3.³ A general trading licence for the native territories or Bechuanaland costs £10 per annum;⁴ and

¹ Act 6 of 1899.

² Act 38 of 1887.

³ *Official Rules relating to Stamps and Licences*, 1897, p. 93.

⁴ *Id.*, p. 116-9.

a hawker's licence, with or without one vehicle, costs £1 per month, and £1 for each additional vehicle. Proportionate rates are charged for half-yearly licences.

In accordance with the Native Locations Amendment Act, 1899,¹ the owner of land on which a native location is established is required to take out an annual licence, paying £1 in respect of each male adult located on his land and not being in his *bona fide* and continuous employment. An exception is made in case of natives occupying land under a written lease and paying a cash rent of a prescribed amount. The Governor may, however, suspend the operation of the Native Locations Acts in relation to private locations where large numbers of natives are located on land for the purpose of being employed in mines or other works.² The amounts collected under this head for the last six years are as follows: 1893-4, £2,255; 1894-5, £1,626; 1895-6, £1,558; 1896-7, £1,327; 1897-8, £1,381; 1898-9, £1,060.³

(b) Natal

In Natal labour touts or agents pay an annual fee of £5.⁴ A retail dealer pays £5 a year, unless he can prove that his gross receipts do not exceed £500 per annum, in which case he is only liable to pay £2 10s.⁵ But dealers in colonial produce only are exempt. Hawkers or itinerant traders of imported goods pay annually in respect of each person so employed a licence fee of £5.⁵ Native medical men or herbalists pay £3 each per annum. In 1898, of the total number of stores keeping goods for sale to natives in Natal, 664 were kept by Asiatics and 28 by natives.⁶ In the same

¹ Act 30 of 1899, sect. 4.

² Act 5 of 1899.

³ *Statistical Registers*.

⁴ Law 36 of 1896.

⁵ Law 43 of 1898. Persons taking out municipal licences in respect of the same occupations are exempt.

⁶ *Natal Blue Book on Native Affairs*, 1898, p. A.50.

year 824 native medical licences were issued in Natal, yielding a revenue of £2,472.¹

In Zululand in 1898 over £400 was paid in respect of native medical licences, and 104 licences to keep stores were taken out.² A shop or store licence costs £5 for one year, £3 for six months, and £2 for three months.³ Licences to trade are also issued at the following rates: for every wagon load of goods or colonial produce not grown within the territory by the person taking out the licence, £1 per month; to trade one cart load of such goods, 10s. per month; to trade one porter's bundle of goods, 2s. 6d. per month.⁴

(c) *Basutoland*

In the annual report of the Government Secretary for the year ending June 30th, 1899, it is stated⁵ that general traders' licences to the number of 140, and 80 monthly licences to hawkers trading with wagons, had been issued, in addition to 161 free licences for trade or barter in the produce of the country. The charge for licences is not specified in the report, but appears to be £10 per annum for a general trader, and £1 per month for a hawker. The total amount collected in licence fees during the year amounted to £1,626 5s.

(d) *Bechuanaland Protectorate*

The report of the Assistant Commissioner for the Southern Protectorate for the year ending March 31st, 1897, which is the latest available, shows that the total

¹ *Natal Blue Book on Native Affairs*, 1898, pp. A.34 and A.50.

² *Id.*, p. C.6. The amount payable in Zululand for a native medical licence does not appear.

³ *Natal Almanac*, 1900, p. 415.

⁴ *Id.*

⁵ *Colonial Reports-Annual*, 1900, No. 288, p. 13.

revenue from licence fees for that year amounted to £791 7s. 6d. Of this total £420 was received for traders' licences, £65 for hawkers' licences, and £306 7s. 6d. in respect of liquor, gun, gunpowder, ammunition, butchers' and bakers' licences.¹ The figures for the Northern Protectorate are not given in the Report, but, as the total licence fees for the whole of Bechuanaland for the same period amounted to £1,438,² the figures would probably be somewhat less than in the Southern Protectorate.

(e) *Rhodesia*

The two following items are taken from the schedule to the Licences Ordinance, 1895³ :—

“For every hawker: to trade with or without one vehicle, £12; to every additional vehicle, £12.

“For every general dealer, £10.”

Hawkers and general dealers may also, it appears, take out half-yearly licences at proportionate rates, or monthly licences at £1 per month.⁴

The Natives Employment Ordinance, 1899,⁵ imposes licence fees on labour agents as follows: (a) to engage labour for work within the territory, the sum of £1; (b) to engage labour for employment beyond the limits of the territory, the sum of £50. The labour agent is also required to deposit or give security in case (a) for £100, and in case (b) for £250.

The return of licences issued in Rhodesia in 1897–8 shows a total revenue from this source of £27,114, of which general dealers paid £7,531 and hawkers £1,574.⁴

¹ *Colonial Reports-Annual*, No. 226, p. 12.

² *Id.*, p. 29.

³ Ordinance No. 3 of 1895.

⁴ *British South Africa Company's Reports on the Administration of Rhodesia*, 1897–8, pp. 334–5.

⁵ Ordinance No. 9 of 1899.

§ 6. LAND REVENUE

Although contributions to revenue under this head are rather in the nature of rent than taxes, a few details seem worth mentioning. In Cape Colony quit-rent is payable under different enactments. Under the Glen Grey Act the native pays 15*s.* a year for a holding of four morgen (more or less), and 5*s.* for each additional morgen beyond five; but quit-rent for a building lot is not to exceed 5*s.*¹

In Natal native squatters on Crown land are, under Law 41 of 1884, charged an annual rent of £1 per hut, which may be increased or reduced by the Governor, but no new squatters are to be allowed after the Act.

Native quit-rents in Cape Colony yielded a revenue of £10,112 in the year 1897-8, and £7,364 in 1898-9.² In Natal squatters' rent amounted in the year 1898 to £4,432.³

§ 7. FINES, AND FEES OF COURT

In ten of the twelve districts of Zululand fines and fees of court in 1898 amounted to over £1,700,⁴ nearly all of which was paid by natives. This sum would be greater but for the extensive jurisdiction of the native chiefs.⁵ Probably a large proportion of the £23,077 received in Natal under this head during the same period was contributed by natives. In Basutoland in 1898-9 £466 was paid in fines and fees.

¹ Act 25 of 1894, sect. 14; Act 15 of 1899, sect. 3.

² *Cape Colony Statistical Registers.*

³ *Natal Blue Book on Native Affairs*, 1898, p. A.34.

⁴ *Natal Blue Book on Native Affairs*, and *Departmental Reports*, 1898.

⁵ *Natal Blue Book on Native Affairs*, 1898, p. C.43.

§ 8. DOG TAX

In Cape Colony divisional councils are empowered to impose a licence fee on dogs over three months old of from 2s. 6d. to 5s.¹

Under Law 27 of 1875 an annual tax of 5s. for each dog over six months old is payable in Natal in all districts made subject to the law by order of the Lieutenant-Governor. This tax is paid by Europeans as well as natives. It is not levied in Zululand. The returns show that the sum collected in respect of this tax from the natives in all the districts of Natal proper, with the exception of Durban and Pietermaritzburg reached in 1898 the surprising total of £11,883 10s.² And this was an increase of £1,693 5s. over the previous year.

§ 9. MARRIAGE FEES: NATAL

In accordance with the regulations framed under the Natal Law No. 13 of 1875, a fee of 10s. is payable by the intended husband on each marriage according to native law.³ This fee is collected by the "official witness," whose duty it is to register the marriage, and who receives 2s. 6d. out of the marriage fee for his services, the remaining 7s. 6d. being given to the chief.

In Natal (exclusive of Zululand, where the tax is not in force) the natives paid in 1898 the sum of £2,254 in marriage fees. Natives may also be married according to Christian rights, and in that case a similar sum of 10s. is payable for a marriage licence. In 1898,

¹ Act 40 of 1889, sects. 221-4.

² *Natal Blue Book on Native Affairs*, 1898, p. A.34.

³ Government Notice No. 124 of 1895, see *id.*, 1896, pp. 26-7.

642 such licences were issued in Natal (not including Zululand).¹

A fee of £1 appears to be payable in Natal on the registration of every Native divorce.²

§ 10. ROAD WORK: NATAL

The Natal Blue Book for Native Affairs, 1898, shows that the total number of natives supplied from locations by the various chiefs for public works in that year was 4,105.³ The figures for 1896 and 1897 are respectively 3,612 and 3,798. It appears from the report of Mr. W. R. Gordon, Magistrate of the Mapumulo division in 1896, that the rate of payment for such work was then 15s. per month; that the natives considered this inadequate; that the men required were only obtained with much difficulty; and that a number had been punished for refusing to go to work.⁴

The Chief Magistrate of Zululand reports that in that province about 540 natives were ordered out for roads and 83 were ordered out for other public works through the chiefs during the year 1898. The remuneration is apparently 15s. per month as wages, free mealie meal rations, 2s. 6d. per month in lieu of beef rations, and a bonus of 2s. 6d. per month for good service.⁵

§ 11. SPECIAL TAXES IN NORTHERN RHODESIA

The following extract dealing with revenue is taken from the report of the Deputy Administrator of Northern

¹ *Natal Blue Book on Native Affairs*, 1898, pp. A.34 and A.50, and see Laws 46 of 1887 and 5 of 1896 as to native Christian marriage.

² *Id.*, 1896, p. 4a.

³ *Id.*, 1898, p. A.50.

⁴ *Id.*, p. 137. See *supra*, p. 102.

⁵ *Id.*, pp. C.13 and C.21.

Rhodesia for the period from April 1st, 1897, to September 30th, 1898¹ :—

“The revenue for the year ending March 31st, 1898, amounted to £2,065, of which £388 11s. 6d. was derived from licences and stamps, and the remainder from export duties on ivory and the sale of the ground tusks which are paid by native chiefs in recognition of the sovereignty of the Chartered Company. The revenue from the same sources for the half-year ending September 30th, 1898, is estimated at £1,200.”

§ 12. CONCLUSIONS

Though unavoidably incomplete in many respects, the above statement seems to justify the conclusions that the tribal native is, relatively to his earning capacity, heavily taxed; that (except possibly where natives voluntarily tax themselves for educational or other purposes) taxation is lighter in Cape Colony than in Natal; that customs duties are especially burdensome; and that it is at least a matter for serious consideration whether the best way to make industry attractive to the native is to diminish the purchasing power of his earnings by imposing such duties.

¹ *British South Africa Company's Reports on Administration of Rhodesia*, 1897-8, p. 114.

CHAPTER XIII

FRANCHISE

BOTH in Cape Colony and Natal a certain number of natives have the right to vote.

The following is an abstract of the qualifications entitling a person to be registered as a voter in the electoral division of Cape Town¹:

1. Every male person of twenty-one years of age who is, and has been for not less than twelve months, the occupier of a house or building of the value of £75. But no person is entitled to be registered as a parliamentary voter for any electoral division in Cape Colony unless he is able to sign his name and to write his address and occupation.

2. Every male person of twenty-one years of age who is, and has been for not less than twelve months, in the receipt of salary or wages at the rate of not less than £50 per annum (and other similar qualifications).

3. But no person is entitled to vote who is not either a natural born or a duly naturalised subject of His Majesty.

An Act passed in 1864 "for amending the law regarding certificates of citizenship,"² provided that certificates of citizenship shall be issued to Fingoes entitled to receive them, in a statutory form, showing that the bearer "is an inhabitant of this Colony, and a subject of Her Majesty the Queen, and is not to be obstructed or impeded by any person upon the ground or supposition that he is a Kafir

¹ Schedule E. to Act No. 9 of 1892.

² No. 17 of 1864.

without a pass." Generally speaking, any Kafir or native foreigner is entitled to such a certificate who can prove, to the satisfaction of the resident magistrate, that he has for not less than ten consecutive years been constantly in service in the Colony, and that he has not during that time been convicted of theft, or been sentenced to any punishment exceeding a month's imprisonment.

The natives in Natal are almost entirely excluded from the franchise by the operation of clause 6 of the Franchise Amendment Law of 1882.¹ "No person belonging to a class which is placed by special legislation under the jurisdiction of special courts, or is subject to special laws and tribunals, shall be entitled to be placed on the voters' list, or to vote at the election of any member of the legislative council ; provided that any such person may be exempted from the operation of this clause by letters of exemption granted to such person by the Governor of the colony. Provided further that no such letters of exemption shall be granted except upon an application both written in English or Dutch, and signed in European characters by the applicant in the presence of a resident magistrate," showing, amongst other things, that the applicant has the requisite property qualification and is exempt from native law. This law has been further supplemented by a very stringent law directed against Indians, which enacts that no persons who are natives or descendants in the male line of natives of countries which have not possessed elective representative institutions, shall be qualified to have their names inserted in any list of electors or in any voters' roll unless (*a*) they shall first obtain an order from the Governor exempting them from the operation of the Act, or (*b*) their names are rightly contained in any voters' roll in force at the date of the Act.²

¹ No. 2 of 1883.

² No. 8 of 1896.

As might be expected, there is great diversity of opinion as to the policy to be pursued in regard to the franchise question. Many of our correspondents are strongly opposed to any extension of the franchise to the native. He is, it is said, a child at present, and probably for a long time unfit to exercise the responsibility of an elector ; and, in view of the vastness and growth of the native population, to invest it with political power, which would swamp the European vote, would be highly perilous. That is the view expressed, for example, by the Bishop of Pretoria, who declares that "the natives of South Africa are wholly unfit for the franchise, which, if given, would ruin them and all good institutions." Another correspondent, Mr. G. H. Davies, predicts "bloodshed" and disaster as the result of any attempt to give the native votes. Some correspondents do not take up an uncompromising position ; they would enfranchise the native, subject to certain restrictions, such as property or educational tests. That is the view of Mr. D. A. Hunter, who recognises that a franchise suitable to Cape Colony, where there are three natives to one white, would not be suitable in Natal, where the natives are ten to one. A third view is that no distinction of race should be made. But those who hold this view appear to think that an educational test would be necessary in order to exclude a class of natives wholly ignorant of their duties and responsibilities as voters. The question is one pre-eminently for the colonists. The Committee would only press on them the necessity of taking into account the interest of the natives and the remarkable success, all things considered, of the experiment in Cape Colony now conducted for many years. On the whole, we are impressed by the mass of evidence in favour of the view that the present law in Cape Colony works well, and that it would be impolitic for the present to alter it.

In reference to the position of the natives under the future government of the Orange River Colony and the Transvaal, the Rev. Dr. James Stewart writes as follows:—

“In order to encourage the loyalty and also the general progress of the coloured races, in the future settlement of the Orange Free State and Transvaal after the war, four things seem desirable:

“1. A carefully considered but also *very carefully restricted* measure of franchise. The qualification ought to be high; very much higher than that of the Cape Colony. It must of necessity rest chiefly on property and education, but should also include length of residence in the country, say five years or longer, as may be determined. Total exclusion would become dangerous in the future, with the progress and rapid increase of the native population. Wide inclusion at present would produce other dangers, and certainly retard the social progress of the natives.

“2. A right to individual ownership of land and heritable property.

“3. Prohibition of liquor selling to coloured people.

“4. The fourth article of the Grondwet, or Constitution, of the Transvaal, which declares that ‘the people will suffer no equality of whites and blacks in either Church or State,’ should be set aside.

“As regards the franchise, a first suggestion for consideration might be made somewhat on the following lines:

“The franchise of the Cape Colony may be taken as a general guide or basis in framing any series of resolutions. That of Cape Colony is, for natives outside the Colony, too liberal; that of Natal is more restricted and would be safer.

“Any native desiring the franchise to have it under the following conditions:

“1. Residence of five years or longer in the colony or state where the native wishes to be registered.

“2. The voter to be of full age, and be able to produce certificates of education as having passed Standard VI. Such certificates should be those only issued by the Education Department of the colony, whether that in which the voter seeks to register, or any other with similar standards. He should be a natural born or duly naturalised subject of His Majesty the King.

"3. Polygamy may be held as a disqualification. But the case of Utah, and possibly also that of some of the Malays in Cape Town and elsewhere, should be taken into account.

"4. The voter to have registered in his name unburdened fixed property of the value of at least £100; or be the lessee of fixed property of a rental of at least £30 per annum; or have an annual income of £80 or £100; or own moveable property to the value of at least £300, or whatever amount may be determined in regard to these different figures.

"Europeans should be got to realise, before the coloured people have begun to feel a sense of wrong, that their own future is bound up with that of the natives, and that the true interests of both races are in the long run the same. Some limited measure of representation will sooner or later become necessary, both as a precautionary measure and for the sake of uniformity in administration. Something between what at present exists in the Cape Colony and Natal, and much nearer that of the latter than the former, might possibly answer."

Views in favour of a restricted franchise are also expressed by the Hon. John Tudhope,¹ the late Bishop of St. John's, Mr. Lewis L. Michell, and others. The opinions of our correspondents favouring or opposing the extension of the franchise to natives will be found in Appendix A.²

¹ *The Empire Review*, February, 1901.

² *Infra*, pp. 312 *et seq.*

CHAPTER XIV

THE SALE AND SUPPLY OF INTOXICATING LIQUORS

AMID the great diversity of opinion on questions affecting the natives, there is one point as to which almost all are agreed, that the use of alcoholic liquors is morally and physically destructive to the natives, and that it is necessary for their welfare that these should be prohibited. From the evidence, appended to this Report, of many Government officials and South African residents, who are thoroughly conversant with this question, it will be noticed that the great majority not only condemn the sale and supply to natives of intoxicating liquors, including "native, or Kafir, beer," but press upon the Government the urgent need for more restrictive legislation, and for more rigorous administration of the law in those parts of South Africa where prohibition is established.¹

The following interesting statement by Mr. S. H. Roberts, the Chief Inspector of Native Locations for Cape Colony in his official report to the Cape Government published in the Blue Book on Native Affairs, 1898,² gives the result of his experiences in Cape Colony:—

"As I have in my annual reports, running over the past ten or twelve years, brought to the notice of the Government the ever-increasing love of drink obtaining

¹ It may be mentioned that one of the conditions of Church membership in some of the native Christian Churches is that native converts must abstain from the use of all intoxicating liquors.

² At p. 58.

amongst the natives, and the very serious results that must follow, I had intended in this report refraining from touching on this matter, but looking again at the vast importance and the far-reaching consequences of the question of drink as affecting our natives, I shall again deal with it.

"That the indiscriminate sale of liquor to the natives of this Colony is having a bad effect upon them and is unfitting them in every way from becoming good and reliable servants is beyond doubt, and that it is acting adversely on the commercial interests of the Colony goes without saying. Anyone travelling, as I have done, over the large native reserves in the Colony, cannot fail to observe the bad and demoralised state of the residents of these locations.

"Never a very industrious people, they are now, caused by their drunken habits, becoming idle, slothful, and unthrifty, and even when they do go into service, they are of very little use, unless employed at the compounds in Kimberley, or other mining centres where liquor is not obtainable by them. Both farmers and townspeople complain bitterly that they cannot depend upon their servants if there happens to be a canteen in the neighbourhood. This outcry does not emanate from one or two districts only, but from nearly every division in the Eastern Province. The quantity of liquor consumed by the natives in the King William's Town and East London divisions must be enormous. I have always held, and still hold, that both in the interest of the natives (the bulk of whom are merely grown-up children, and in this matter require guiding), and in the interests of the European population of the Colony, it is essential, nay absolutely necessary, that there should be a stringent liquor law against the sale of drink to any aborigine of this country. The natives themselves are fully conscious of the evil effects of drink, but are unable to resist the temptation, and I believe would readily assent to a law which would keep liquor out of their reach.

"In my last annual report I remarked that I was struck with the sobriety of the Bechuanas as compared with the colonial natives, this sobriety I attributed to the liquor laws prevailing in Bechuanaland; since then I have been in Bechuanaland for eight months on special duty, and during the whole of that time I did not see a drunken Bechuana on any reserve."

Mr. R. G. Dick, Special Magistrate in the division of King William's Town, writes¹ :—

"It is very sad and pitiable to see the gradual demoralisation of this once fine race through this accursed vice. Unless they are saved from themselves by very stringent regulations in regard to the sale of drink and the manufacture of Kafir beer, it is not difficult to foretell their inevitable fate. I am not sanguine that any beneficial results will immediately follow the introduction of what is known as the Innes Liquor Act (No. 28 of 1898). Whatever licensing boards may do in regard to imposing conditions as to the sale of liquor to natives can only affect a portion of the evil, leaving untouched the more serious and destructive phase of it—the wholesale manufacture of Kafir beer in tribal locations. It may be urged that this difficulty can be met by placing the locations under the operation of the Glen Grey or Village Managements Acts, but I fear that some considerable time will elapse before all the locations are fit and prepared to adopt them."

In the Blue Book, 1898,² Mr. Dick states that :—

"The vice of drunkenness is taking rapid and fearful strides amongst the natives in these parts, which is only too apparent in the demoralised and squalid condition of so many natives of both sexes. The evil in this particular subdistrict is largely due to the enormous extent to which the brewing of Kafir beer is now carried on and the degree of fermentation it is allowed to undergo, and which so materially increases its intoxicating powers. These beer drinkings can be regarded as nothing less than huge nurseries for promoting the vice of drunkenness; for the children have not only the evil example set constantly before them by their elders, but the taste for the intoxicating stuff is acquired at a very tender age. It is chiefly in the spread of the vice amongst young boys and girls, that the terrible evils of it are to be seen. From beer to brandy is but a short step, and the ruin, both moral and physical, of the individual is then complete. It may appear to some an arbitrary act to interfere with the quantity of Kafir beer an individual shall be allowed to

¹ *Cape Colony Blue Book on Native Affairs*, 1899, p. 35.

² P. 39.

manufacture for his own use, but when a privilege becomes such an abuse, and is productive of such serious consequences, legislative action is imperatively demanded."

Again in the Blue Book, 1900¹ :—

"I regret that I am once again compelled to report most unfavourably of the spread of drunkenness amongst the natives. It is really appalling to see the extent to which this terrible curse has laid hold of them. . . . Very much can doubtless be done to restrict the sale of liquor to natives under the provisions of the Innes Liquor Act, and I sincerely trust that every effort will be made in this direction ; but I am convinced by long and close observation, that in the large tribal locations, at all events, it is the wholesale brewing of Kafir beer which is mainly responsible for the great increase in drunkenness, and until its manufacture can be suppressed, or very materially restricted, we shall not in my opinion touch the main root of the evil."

Khama's efforts to save his people in Bechuanaland from the evils of drink are well known. He appealed to Sir Sidney Shippard in 1888 against the attempt "to flood my country with drink after all the long struggle I have made against it, withstanding my people at the risk of my life, and just when they themselves have come to see how great a salvation my drink laws have proved to be. It were better for me that I should lose my country than that it should be flooded with drink. But to fight against drink is to fight against demons and not against men. I dread the white man's drink more than all the assegais of the Matabele, which kills men's bodies, and it is quickly over ; but drink puts evil into men and destroys both their souls and their bodies for ever. Its wounds never heal."

The Rev. W. C. Willoughby, the representative of the London Missionary Society at Palapye (Khama's country), would "make it a crime to sell or to give liquor to natives,

¹ P. 16.

and a crime for the native to receive it either as a gift or a purchase. That is the law of the Protectorate [of Bechuanaland], and there is but little evasion. But I would not include 'native beer' in this stringent law, though clearly some legislation should be introduced in respect to it."

The Rev. J. S. Moffat, writes: "Absolute prohibition works well in Basutoland and in British Bechuanaland, and would work better in the latter if the Colonial Government were sincere in its enforcement."

Sir Sidney Shippard, late Administrator of Bechuanaland,¹ states:—

"There has been an almost total absence of serious crime throughout British Bechuanaland; this is partly due to strict enforcement of the salutary laws prohibiting the supply of liquor to natives."

At a meeting of the Colonial Institute, December 6th, 1898, he also said:—

"The liquor traffic is in fact the greatest possible curse so far as the natives are concerned, destroying to a great extent their utility as labourers, and leading to increase of crime, and consequently to heavy expenditure on prisons and convict stations.

"The traffic unfortunately still continues in the Cape Colony. The liquor trade there has great vested interests, with corresponding influence in the legislature, and it is not at all likely that those interested will give it up for any merely humanitarian or utilitarian object. The same remark applies with far greater force to the Transvaal.

"In Bechuanaland, where I held office under the Crown for ten years, the law prohibiting the supply of liquor to the natives was most strictly enforced, the penalties were severe, and in no case was any remission allowed, the result being that in the main liquor was effectually kept from the natives, who under this system became prosperous, happy, and peaceable, as was proved by the almost total absence of crime among them."

¹ Annual Report, p. 163.

Sir J. Marshall Clarke, late Resident Commissioner, Basutoland, writes :—

“Even apart from humane consideration, I would, from a commercial point of view, oppose the liquor traffic amongst the natives of Africa.”

Colonel Lugard, in *The Nineteenth Century* for November, 1897, states that—

“the majority of African administrators and travellers base their condemnation of the liquor traffic upon its debasing influence upon the natives. The ideal which all who think as I do, wish to achieve, is the total abolition of the spirit traffic in Africa. So far as South Africa is concerned [Colonel Lugard was administering affairs in South Africa at the time he wrote this article], this course is immediately feasible, for the machinery for enforcing the law is in existence, and the experiment has already been made with success in various districts.”

Mr. C. J. Rhodes reminded a deputation in December, 1894, “that all his legislation had been in the direction of absolute prohibition for the natives.” Lieutenant-General Sir Charles Warren says: “There are many thousands of natives who have been reduced to the lowest depths of poverty and an early death by the drink traffic.” Dr. Jameson, writing of Gazaland in 1897, says: “On approaching from Gungungana’s first residence and coming amongst the kraals of the Gazas, extending over an area of ten miles, what one is impressed with more than anything else is the utter demoralisation from drink of the natives—men, women, and children.”

Mr. J. P. Robinson, in *The Contemporary Review* for October, 1900, writes :—

“But of all the wrongs in regard to natives and their labour, none come near to the scandals of the liquor trade.

“The laws [in the Transvaal] restraining it are excellent on paper, but their administration is infamous. They prohibit the sale to natives, but they are broken wholesale. The profits are enormous; to the inexperienced

Kafir the sensation of getting drunk is a novelty, something too grand to be resisted. The Government sells drink licences, and all nationalities are more or less engaged in the illicit traffic.

"There have been some 150,000 natives on the mines, earning, say, £40 or £50 a year in wages. Their one temptation to expenditure is drink. Vile spirits are sold to them on wage days, manufactured in Johannesburg itself, underground, or imported from the east coast, and worth perhaps 2*d.* per bottle, but charged at 5*s.*, 10*s.*, 15*s.* A native, when he is paid, will buy a bottle of this poison, drink it in an hour or two, and go mad for a week. They go mad with drink, jump about, and are beside themselves, ready for murder, or anything else. Under the drink influence, natives employed in different mines frequently have regular battles, especially on Sunday, when work is stopped, and many have been killed. Now the mine owners have made every effort to get this trade stopped. But the liquor trade brings in millions a year, almost all profit, and the Government, many of whose officials are deeply concerned in it, have never been willing to act seriously. Nor is the injury to the labour supply the worst result of this poisonous drink trade. A native who goes home with his wages in his pocket becomes a man of position at home, his property is in his wives and cattle; his tribe is enriched along the line of its own civilisation and gradually develops. The young men learn some habits of industry, through the reasonable motive of getting wages; the native is better, richer, and happier, and the mines are worked. But if the wages are stolen from him or cheated out of him by the drink temptation, not only is the labour so much more costly to the employer, but the workman loses the benefit of it, and worst of all, he goes home a broken and demoralised man, a centre of disaffection and disorder, and the prospect of a prosperous and contented native population is destroyed. This is a *paramount question and vital to the good order of the country.*"

Mr. Lionel Phillips declares in a letter of June 21st, 1900, to the Committee that—

"I am of opinion there will be far less difficulty in obtaining an ample supply of labour if the natives are well cared for. The Licensing Laws of the Transvaal, for

instance, prohibit the sale and supply of intoxicating liquors to the natives; but owing to the indifference of the authorities and the corruption and inefficiency of the police, these laws have become a dead letter, and the vilest liquors in consequence have been supplied to the natives working at the mines, with a most terribly demoralising effect. Under British administration the scenes of drunkenness hitherto witnessed upon the gold-fields will not be permitted."

Dr. A. P. Hillier, at a meeting of the Colonial Institute, December 6th, 1898, declared that—

"during a sixteen years' residence in South Africa, I have come into contact with natives employed in the towns, on farms, and in very large numbers on the diamond-fields and the gold-fields, and I have invariably found that where alcohol was accessible to the natives it wrought havoc among them. Where Kafirs are earning wages, and are enabled to purchase liquor, from 10 to 20 per cent. of them are constantly and continuously incapacitated by drink. The liquor sold to natives is invariably of the vilest quality, and many of the natives are killed outright by it, while many more acquire pneumonia and other fatal diseases as the result of exposure when drunk. Moreover, the half-drunken native is a dangerous criminal. Sober, the Kafir workman is fairly honest, law-abiding, and peaceful; drunk, he makes murderous assaults on his fellow-natives."

The injury to the health and morals of the natives ought to be the chief consideration in the eyes of the Government; but the serious economic and commercial losses sustained through the drinking habits of the people must not be overlooked. It is estimated by local experts that from 25 per cent. to 33 per cent. of the effective native labour employed in mining and other industrial undertakings in South Africa is absolutely lost through drinking habits. Sober and industrious natives, seeing the mischievous habits contracted by their friends and relatives returning from the towns and the mines, are discouraged from seeking work outside their locations.

The sale and supply to natives of intoxicating liquors are prohibited :—

(1) In Cape Colony ; only, however, to the natives who reside in native locations. The natives residing with Europeans in a state of civilisation in settled communities have the same facilities of using intoxicating liquors as the European population.

(2) In Natal ; the sale to natives in native locations and towns is prohibited.

(3) In Basutoland ; the sale and importation are strictly prohibited.

(4) In British Bechuanaland ; prohibition extends to the natives only.

(5) In Khama's country, a part of Bechuanaland ; the sale is prohibited to natives and Europeans, except at a single refreshment-room on one station of the new railway to Bulawayo, where that railway passes through Khama's country. Even at that station Khama strictly prohibits the sale and supply of any intoxicating liquor to natives. This chief's country is more free from crime and disorder than any other native territory in South Africa. His policy as regards the liquor question is a striking and encouraging example of what can be effected.

(6) In Rhodesia ; the sale of liquor to natives, but not to the European population, is strictly prohibited.

(7) In the Orange Free State ; liquor may not be supplied to the natives.

(8) In the Transvaal ; the laws forbid the supply of intoxicating liquor to natives ; but owing to the corruption of the police and the large financial interest in the liquor trade of persons closely connected with Government authorities, the administration of the licensing laws has proved a failure. Most serious evils have ensued to the natives engaged in the mining industries of the Transvaal through the criminal neglect in enforcing the prohibitory regulations.

(9) In other districts south of the Zambesi ; the provisions of the General Act of the Brussels Slave Trade Conference, 1890, apply equally to all territories in the African continent between 20° latitude north and 22° latitude south or to a point about two hundred and fifty miles south of the Victoria Falls of the River Zambesi—that is to say, to a large area of country under the British South Africa Company's control as well as to that under Portugal. According to these provisions, all alcoholic liquors should be wholly excluded in the interior native territories, and in those parts adjoining the sea coast where European liquors are already imported such duty shall be levied as will tend to restrict their sale and consumption.

In the Cape Colony several Acts dealing with the sale of intoxicating liquors to natives and Europeans are in force. The most recent, generally known "as the Rose-Innes Act," was passed in 1898. By this Act larger permissive powers are granted to the local licensing authorities than in either of the previous Acts, but, as will be gathered from the evidence we have received, it seems extremely doubtful if this Act will effectually cure the evil. Up to the present time the legislators of the Cape Colony have been guided and influenced by the broad principle that in civilised communities all persons, whether black or white, are equal in the eye of the law, and therefore they have refused to pass discriminating laws between the black, coloured, and white population, who reside side by side in free and self-governing municipalities.

In the case of Canada, to protect the Indians and the new settlers from intoxicating liquors, the Canadian Government has in its vast North-West Territory established prohibition ; but the Lieutenant-Governor has certain powers invested in him of granting permits for their consumption on exceptional occasions to approved white

settlers. Special legislation seems needed for the special circumstances of South Africa. If public opinion throughout Cape Colony is not yet prepared to sanction total prohibition for the white population, it might be possible, whilst *enacting* total prohibition everywhere, to grant certain local authorities powers to issue, under restriction, permits or licences for sale of intoxicating liquors to whites only. Another possible alternative would be to control the sale of intoxicating liquors upon the lines generally known as the "Gothenburg system," so that their sale should be taken out of the hands of private individuals and placed under the control of public bodies specially appointed by the municipalities, whose aim shall be to lessen and restrict as far as possible their sale. Under the fiscal system of Cape Colony no revenue is raised from any excise duty, and one of the results is that spirits consumed by the natives can be purchased very cheaply. This, obviously, is a most undesirable state of affairs.

From the information we have so far been enabled to obtain, it does not appear that the provisions of the Rose-Innes Act of 1898 have been put into operation to any great extent. It has not been even applied as yet in Cape Town, where large numbers of natives reside, and where great evils result from drink.

It will be noticed that in the Rose-Innes Act there are the following provisions with respect to natives :—

" Any licensing court shall have power when application is made to it for the grant or renewal of any licence, to impose upon the holder thereof such conditions in regard to the sale of liquor to natives as to such court shall seem meet, and for the purposes of sect. 24, subsect. (4) of Act No. 25 of 1891, it shall be deemed to be a condition, unless a contrary privilege or condition shall be embodied in any certificate by the Commissioner of Public Works, that no liquor shall at any time or on any day

be sold at any railway station refreshment room to any native.

"Such conditions may impose such restrictions or conditions, exclusive of total prohibition, upon such sale as to the court may seem meet. They shall be endorsed upon the licence and shall be taken to form part of it. And any licensed person who shall contravene a condition imposed by virtue of this and the preceding section shall be liable upon conviction to the penalties prescribed by the seventy-fifth section of the Liquor Licensing Act, 1883.

"It shall not be lawful for the holder of any wholesale licence to sell liquor under such licence to any native, not being the holder of a retail or bottle licence, and any such holder contravening the terms of this section shall be liable to the penalties imposed by the seventy-fifth section of the Liquor Licensing Act of 1883.

"Any person who shall as the agent or on behalf of any native, and not being the European employer of such native, buy or receive liquor from any licence holder, which liquor could not have been legally bought or received by a native under the conditions of the said licence, shall be guilty of contravening this section and shall upon conviction be liable to a fine not exceeding £25 or in default of payment to imprisonment with or without hard labour for any period not exceeding three months."

It may be also mentioned that by the Rose-Innes Act the manufacture of Kafir beer is strictly forbidden in Cape Colony.

In Natal the legislation has, from the very commencement of the colony, forbidden intoxicating liquors being supplied or given to natives, both in the locations and to those residing in towns. The character of the natives thus protected is in striking contrast to those in the neighbouring Cape Colony.

Mr. W. Spencer Walton, Superintendent of the South Africa General Mission at Durban, writes :—

"I would on no account support the sale of intoxicating liquor to the natives. It has been an awful curse in Cape Colony, and the contrast between the natives of that colony and ours, where the selling of liquor to the natives

is severely punished, is very remarkable. I am glad to say our Government is waking up to the need of restricting native beer-drinks, and has prohibited the same on Sunday."

In conclusion we would point out the danger likely to arise, when peace is restored in South Africa, and the mining enterprises are again being rapidly developed, that the managers of the mines, in order to attract native labour to work in them, may be tempted to offer to supply them freely with intoxicating liquors. This danger is a very real one, and will have to be carefully watched and guarded against by the authorities.

From the reports of the Chief Inspector of Native Locations and other witnesses it will be seen that there is still a large amount of illicit smuggling of liquors from the Cape Colony into the native locations, and that the administration of the liquor laws in Cape Colony and elsewhere in South Africa needs considerable improvement. We would venture to urge on the authorities everywhere throughout South Africa to lose no time in introducing such further measures as will effectually put an end to the many serious evils which are so frequently referred to in these reports.

CHAPTER XV

SUMMARY AND CONCLUSIONS

THE foregoing pages will have given an idea of the magnitude of the subject. In the chapters relating to the distribution of the native and coloured population, its chief occupations, the tribal land system and the modifications therein, and the chief laws affecting the natives, we have been describing what may prove an economic revolution ; we have been describing, it may be added, the process of making a nation. The condition of which we have endeavoured to give an account is one of transition, every step in which presents an opportunity not likely to recur.

It remains to state briefly some of the conclusions to which we have been led.

The statistics in Chapter I. and the sketch map at the beginning of this volume show that the native and coloured population is very unequally distributed over South Africa. In some districts the limits of accommodation have already probably been reached ; in others, and especially in Rhodesia, the resources of the country have hardly yet been tested. The danger of over-population in South Africa, as a whole, may have been exaggerated. But the increase of the Bantu races is a fact beyond dispute. It seems inevitable that the pressure of population will make itself felt in some districts before long ; and the strong probability is that, as time goes on, the native races will more and more preponderate.

Agriculture is the chief occupation of the natives.

Most even of those who seek temporary employment at the mines and elsewhere do so with the purpose of returning to their lands for settlement and marriage. The frequent references to the supply of labour for the mines of various kinds is apt to distract attention from the fact that by far the chief industry is agriculture, and that the native lives by the land. There is no reason to believe that the state of things will be very different for many years to come.

The majority of the natives still live under their tribal laws and customs, which have now for a long time been recognised and administered by the magistrates.¹ The organisation of the tribe is breaking up ; the authority of the chiefs is waning ; but they are still strong in many districts. The unbroken chain of responsibility—the responsibility of the headman of a location for his people, of the head of a kraal or family for its members—has helped to maintain order and to trace crime. To replace the obedience of a tribesman to a chief by local self-government is a change that cannot, and ought not to, be forced ; but considerable aptitude has been shown by the native members of the new district councils constituted under the Glen Grey Act. Even where the tribal organisation is dying out, the native clings to his old customs in marriage, in the disposal of property, and in other matters. Polygamy and the family system are closely interwoven with the methods of common sustenance, and it is difficult fully to appreciate the support they bring to the native's sense of self-respect, and even to his standard of morality. No small material prosperity is possible under tribal institutions, as is witnessed in

¹ The Report of the Native Laws and Customs Commission, presented in 1883, contains a mass of evidence relating to Cape Colony and Natal of great value. There is urgent need of a similar inquiry covering the other territories of South Africa under British rule.

Basutoland, and for a long time to come they must remain the best form of government acceptable or even possible to many tribes.

The stronger the tribal feeling, the less able is the native community to adapt itself to the ways of white neighbours, and the greater is the need of protection. The example of Basutoland is evidence that it would not be to the disadvantage of some of the larger native districts, such as Swaziland, to be set aside, at all events for a time, as native reserves under Imperial control.

It is to be feared that the natives living on some of the private and municipal locations are the victims of some injustice.¹ Their position is precarious, and unfavourable to improvement. Under tribal rule in the past it has been the boast of the chief that he is accessible to all his tribesmen, that the smallest matters can be brought to him for decision or arbitration.² Care should be taken that the native now living in the smaller locations should in this respect not find himself in a worse position than he would be in a native reserve.

The magistrates administer the laws in Cape Colony and Natal equitably as between whites and blacks. There are few complaints by the latter. In native reserves the magistrates are gradually taking the place of the chiefs.

The working of the jury system is less satisfactory; prejudices of race, it is to be feared, affect verdicts. We have been informed by one who has taken pains to investigate the facts, that a jury rarely, if ever, convicts a white man indicted for the murder or manslaughter of a native. The matter urgently calls for careful investigation.

Apart from the work of the missionaries in education

¹ The inspection of the latter is reported to be sometimes neither effective nor independent.

² See *supra*, p. 26, note ³.

and in promoting civilisation generally, the greatest power for good lies in the hands of the magistrates. The justice of their administration is appreciated. The chiefs actually complain that their own power is disappearing before the open preference shown by their subjects for the magistrates in the settlement of disputes.

No labour would seem thrown away that would tend to widen the magistrates' knowledge and experience of native life and modes of thought in other districts as well as in their own; and we would suggest that they should confer together at short intervals with reference to points which may arise in the discharge of their duties.

Way is gradually being made for the transition from communal tenure to individual ownership. The change is of vital importance and will have far-reaching effect. Under the former system the whole family is united by a common interest, and subordinate members, such as poor collateral relations, expect to find a place under the head of the family. Where there is land to spare, this system is elastic; more land can be turned into gardens as the family is enlarged, as there are more hands to contribute to the common prosperity, or as there are more mouths to fill. The right of pasturage within the boundaries of the reserve is unlimited.

Where the power of the chief still exists and tribal instincts are still strong, individual ownership with the sense of a particular value to a definite area of land is nearly an impossibility. Where given under such circumstances, the power to alienate has often proved ruinous. There is the same difficulty in respect of holdings owned by small groups of natives—wherever, in fact, the native mind and methods are not fully in advance of the temptations inherent in the position. The new saleable value of the land created by individual allotment appears to bring with it inducements to alienate which

the native owner finds it hard at times to resist. Perhaps he will prize his land more when he has expended labour and capital on it. Until then the restrictions against sale or mortgage must be carefully maintained and all methods of evading them watched.

Many correspondents write with enthusiasm of the advantages to the native of private ownership in land. Perhaps, as has been said, "in an individual tenure lies the social evolution of the native." But we do not recommend any abrupt interference with communal tenure. "For such a people as the Pondos of Pondoland it would be folly to do away with communal tenure among them for a good many years to come."

The question of land tenure is closely related to that of population. "What is to become of the surplus population?" writes one of our correspondents.¹ "At present the reserves are homes for the families of the fathers and sons of those who are away at work; but when these reserves disappear, where will the families of those who live by labour find a home?"

Under the Glen Grey Act the size of the allotments is about four morgen (eight acres), exclusive of pasturage, and no one is allowed to hold more than one allotment. Sooner or later this restriction must affect the family life of the natives. It remains to be seen what effect it has upon the marriage of sons, on the treatment of members of the family returning from perhaps long absence at the mines, on the provision for poor or infirm relatives.

Until comparatively recent years the tribal natives have been used to easy methods of expansion within elastic boundaries or into adjacent territory. Under the present conditions such outlets are more difficult to find. Economy in the use of the land already occupied may increase its capacity to provide for a larger population

¹ Mr. J. W. Weir.

yet the greater the number of the labourers who go to the mines, the larger will be the mass of "loose" population which will ultimately look for accommodation somewhere on the land, either amongst their own people or elsewhere.

Should natives' land be ever again on a large scale confiscated—an event which, it is to be hoped, will not recur—the confiscated land ought, it is submitted, to be reserved for the natives, at all events where the supply of land for them is not too plentiful.

It seems probable that in the not very distant future overcrowding may arise in some parts amongst natives still under tribal institutions, as in Basutoland. It may then be found necessary to provide territory to which considerable drafts from the congested districts can be made, and where they may continue their agricultural and pastoral life.

Though the arbitrary removal of families to private farms has occasionally been a gross injustice in the past, the complaints of farmers of the scarcity of farm labour suggest that some openings for the relief of congested localities lie in the voluntary transfer of households to the emptier districts in accordance with this demand. The farmer is reluctant to engage permanently a full staff of labourers. The work on his farm is only intermittent, and varies with the seasons. He also dreads the establishment of a location in his neighbourhood with its accompanying evils, particularly theft of stock. It is doubtful, however, whether, unless he is willing to compete with the mines in the matter of wages, he can continue to rely on a periodical supply of labour from distant native districts.

All over South Africa, but especially in the Transvaal, are very large farms, rudely cultivated, or used for the most part only for grazing. Natural and proper when population was sparse, and still to some extent explicable

by reason of the precarious rainfall and defective irrigation, this system is out of date ; it is wasteful and uneconomical ; and it is difficult to believe in its permanence, especially if further land is required for natives.

In view of the rapid increase of the native population, it seems of the highest importance that every effort should be made to improve the methods of agriculture, not only in order to increase the productive powers of the several holdings, but also as a means of general education. It is important that these efforts should be extended to the locations where tribal occupation continues, as well as to the surveyed districts. It does not seem unreasonable to expect liberal Government aid for local organisations in the introduction of irrigation and well-sinking, without which much land in South Africa can hardly be valuable for many years in succession.

It is obvious that large tracts cannot be profitably used until irrigation on a large scale is carried out. "There is no limit," it has been said, "to the fertile land of South Africa wherever the storage of water and irrigation are undertaken on a reasonably large scale."¹

Whilst agriculture, as has been said, is the chief and natural pursuit of the natives, a large and increasing number annually leave their homes for temporary work at a distance. In Basutoland alone passes for labour outside the colony were, in the year 1898-9, issued to 37,371 natives, the entire native population being estimated at 263,600.

The supply of labour thus drawn from the country districts for mining and other industries is likely to be greatly increased by the growing pressure of population, the spread of education, and the development of fresh needs. In some parts it is considerably checked by fear

¹ See *The Times* of June 11th, 1900.

of ill-treatment by employers or their agents, and by imperfect provision for the safety of natives on their way from and to their homes.

The natives are mainly engaged in rough manual labour, but many are capable of skilled work, and some earn considerable salaries as magistrates' clerks, interpreters, constables, etc. In some parts there is a strong prejudice against admitting natives to lucrative positions. On the other hand, it is fair to note, as pointed out by the Rev. J. S. Moffat, that as to some occupations "white men are practically crowded out of the labour market, and can only find work if they have higher qualifications."

In certain districts there is scarcity of labour, especially where the demand for mining labour has drawn away the able-bodied natives. Mr. Roberts, Inspector of Native Locations, says that the wages of natives, excluding agricultural labourers, have advanced during the past few years at least 100 per cent., that of agricultural labourers 50 to 75 per cent.

The adoption of compulsory measures to increase the supply of labour has been much discussed. The only colony in which it has been definitely ascertained that compulsory labour exists is Natal. There the Governor exercises his right as supreme chief to call upon the natives to work on the roads or other public works. Wages are paid (about 15s. a month, with rations), and the right is exercised only in regard to public works. But the compulsion appears to be real and causes irritation.

The great majority of our correspondents are averse to any measures of compulsion; and no necessity for them has, so far as we can see, been established. Those who advocate such measures, the suggestion of which is much resented by the natives, generally desire to pay less than the market value, or have in their minds an arbitrary figure which they call a natural wage. The question of the

supply of labour is mainly a question of wages or treatment, or both. In procuring labour, says a correspondent who has been working amongst the coloured people for thirty-five years, "no serious difficulty is found where the native labourer is fairly well treated and paid." For agriculture there is in some districts a diminishing supply of labour; this is owing to the high wages obtainable at mines or at seaports and other towns. Even as to labour on farms "there is," as another correspondent points out, "significance in the fact that many a farmer obtains all the labour he requires on his own terms, while his neighbour can with difficulty get labour at all. It is true in Africa as elsewhere that the master makes the servant."

With reference to the labour in mines, Mr. L. Phillips remarks: "I am of opinion that there will be far less difficulty in obtaining an ample supply of labour if the natives are well cared for." While there is little systematic oppression of the natives, there is a great deal of what may be called casual cruelty. Farmers, employers, and managers who "kick about" and cuff Kafir servants, or who deprive them of their wages, in whole or part, by tricks or deceit, are apt to go unpunished. Prosecutions for such offences are rare. Probably, too, the redress for failure to pay the wages of blacks is not so prompt and efficient as is desirable.

Much is said, and to some extent justly, of these difficulties in regard to labour supply experienced by employers, and especially the mining companies. Little is said of their advantages, particularly the existence of a large body of peaceable and capable natives, more and more attracted by good wages. On the whole, reviewing the evidence before us, there seems no necessity for any measures of compulsion, whether in an open form or under the disguise of taxation imposed not to raise revenue, but

to force the natives into working in modes which the whites believe to be for their advantage. We see no reason why this question should not be left to the operation of ordinary economic laws. Good wages, the growth of new wants, improved education, just treatment, and increased facilities for the movement of labour will, there is ground for believing, remove the chief difficulties experienced in the past.

It is important that at industrial centres there should be one or more officials charged with duties corresponding to those of the Protector of Natives at Kimberley. It appears to be highly desirable, in order to prevent well-known abuses, that labour agents, or "touts," in the newly acquired territories should be officially licensed and registered, as in Cape Colony, Natal, and Rhodesia, and that powers should be reserved for good cause to withhold or cancel such licences.

The necessity for the establishment of efficient labour bureaux for the organisation of the labour supply and the protection of natives has been recognised. It is important that such bureaux should be Government offices or under Government control, and not in private hands. They should have numerous branch offices, and should undertake the registration of natives available for employment, the supervision and explanation to them of contracts of service, the provision of accommodation and other facilities on the journeys to centres of industry, and similar matters, and so far as possible should prevent any oppression by the chiefs in collecting labour.

In some districts, where the tribal system is in full force, contracts of labour continue to be made with the chiefs, who usually exact a commission from the individual native of £1. The system, however, though unavoidable in some districts, works much injustice to individuals; and we conceive that the entering into contracts with

individual natives tends to educate and elevate them, and should be encouraged.

In Cape Colony and Natal the law as to master and servant is the same as to whites and black and coloured population. It differs mainly from the present English law in the remedy being criminal as well as civil ; the breach of a contract may be punished by imprisonment, and in certain cases by whipping. Most of our correspondents recommend that the present law should be retained, as being necessary for the protection of employers. Such a system, however, seems to countenance and encourage the common resorting to flogging by masters of their native servants.

Some of the evils of the Truck system appear to exist. Among the wine-farmers, for instance, of the Western Province of Cape Colony is a custom of giving natives or half-castes a bottle and a half of wine a day in lieu or in part payment of wages. These "sompjes," or "tots," have had a most pernicious effect, and should be prevented as far as they are part payment of wages.

The natives have taken considerable advantage of the facilities offered by the labour agencies at Johannesburg for the deposit and transmission of their earnings.

The savings banks, on the other hand, up to the present do not appear to have been much used. It seems possible that the labour agencies might with advantage be brought into closer relations with the savings banks, so that moneys might be remitted by the agencies to accounts at the banks.

There also seems great need of making the natives more familiar with the advantages of these institutions.

The compound system—that is, a system under which native workers are kept in enclosed spaces during the period of their contract—has so far only been introduced at certain diamond-mines, the main objects being to

prevent theft of diamonds and demoralisation by drunkenness. For periods of about three months the natives are restricted to the compounds; and for that period even the natives from the immediate neighbourhood are cut off from communication with their wives and families—a state of isolation which creates some abuses. It is but right, however, to note that there is a strong body of opinion in favour of the system, chiefly on the ground that it saves the natives from drink and other evils. Apparently, when well administered, it does not check the voluntary inflow to the mines.

Mr. L. Phillips, the Rev. J. S. Moffat, the Rev. W. C. Willoughby, and others testify strongly to the merits of the system as found at Kimberley. The De Beers Compound appears to be undoubtedly well managed; the natives are cheerful, well fed and housed, and they are able to leave with their wages intact.

We can only, however, regard the compound system, even when well managed, with very qualified satisfaction, and as an exceptional and, in its present form, a temporary expedient. In any case, the system can be defended only when wisely and benevolently administered, and the strictest Government inspection is necessary to guard against the serious abuses to which it is liable.

The system, which gives to the employers a monopoly in supplying the natives in the compound with commodities, is naturally not popular with local shop- or store-keepers. Its extension in other places would be strongly opposed; and its application to gold-mining or other industries does not now appear to be probable or desirable.

And here may be made a remark which is not applicable solely to the compound system. The family life of the natives, however different from that of civilised white men, ought to be treated with consideration and respect.

It would be unfortunate if the breaking up of tribal organisations and the free movement of natives in search of work were to create a large mass of men without local or family ties.

The Pass Laws were originally enacted as a protection against lawless vagrants. As to their value, opinion is greatly divided. Their advantages seem exaggerated. They may be of use in border districts and when a native is moving stock ; but when these laws are strictly enforced and regarded as a badge of inferiority, they are often very irritating. In some districts the pass system seems obsolete, and the law has become almost inoperative. In districts where the system is in force it frequently bears very heavily on individuals.

Inquiry seems to be needed with a view to the adaptation of the system to local requirements and the avoidance of injustice arising from race distinctions.

The universal application of the system seems to be an anachronism and vexatious. In some localities a simple system of "protection papers" or "pass tickets" might probably be substituted for it with advantage, as recommended in the Report of the Cape of Good Hope Government Commission on Native Laws and Customs presented in 1883. The free granting of exemptions in suitable cases might alleviate much of the grievance.

Exemption from the Pass Law is granted, in Cape Colony, to natives who hold certain educational certificates, or who are registered as Parliamentary voters.

In Cape Colony the qualification for the native or coloured voter is the same as for the white. In Natal the franchise is much more restricted ; and there are special limitations on the acquisition of electoral qualifications by Indians.

The qualification in Cape Colony is a high one, and rightly requires considerable advance in civilisation on the part of native voters. Opinions naturally differ in South Africa as to the expediency of conferring the franchise on the natives. But the desire of conciliating the native vote works usefully as an incentive to politicians to regard native needs and sentiment.

We do not feel competent, in face of the diversity of local opinion on the subject, to suggest any scheme of franchise for the new colonies, but, to be satisfactory, it should provide a manifestly genuine representation of the interests of the native and coloured population.

Intimately connected with the subject of the franchise is that of education.

There are no special or separate Government schools for natives, and they are practically debarred from the white schools. Much valuable educational work is, however, being carried on by missionary agencies. In Cape Colony, Natal, Basutoland, and apparently also in Rhodesia, the schools are under Government inspection, and are aided by Government grants. The natives contribute to the cost of education in fees ; and in some districts they have given considerable sums for building school-houses. Their interest in education is evidently increasing, and many come from great distances to institutions such as Lovedale.

The Government grants to the native and coloured schools, which are on a much lower scale than the grants to white schools, are altogether inadequate. In some districts these grants seem disproportionately small as compared with the contributions made by the natives to the revenue. Even in Cape Colony, where native education has made considerably more progress than in Natal, the grants to the mission schools in 1898 were only at the rate of 12s. 6 $\frac{3}{4}$ d. per pupil, as against the rate of

£1 19s. 3 $\frac{3}{4}$ d. per pupil in the third-class public schools for whites. This difference may partly account for the very unsatisfactory condition of a great number of the coloured and native schools.

The education in the coloured and native schools is on the same lines as in the white schools, and instruction is usually given in English. In Basutoland certain lessons are given in the Sesuto language. It seems questionable whether the system of education should not be modified to meet better the peculiar requirements of the natives. At present it seems open to much criticism. Apparently it is too "bookish" and not sufficiently practical. In justice to the missionaries, on whom falls the burden of the work, it must be pointed out that instruction in farming, forestry, and handicrafts involves considerable expenditure, which they are ill able to bear.

The standard reached even in the best schools is low, and there is a strong prejudice amongst a large section of the white population against affording facilities for higher education to natives. In spite of all difficulties, however, excellent results have been obtained where the schools have been efficiently managed, and especially where the instruction given has been of a practical character.

The natives are often said to show no aptitude for the higher walks of life. The truth of this statement will be better tested when (which is not now the case) they have the same opportunities as the whites for entering such walks. At present "the native is denied the privileges accorded to Europeans of further advancing his education by admission into existing colonial colleges. These are closed to him on grounds of caste, and he cannot therefore qualify for the professions. Such institutions as Lovedale may matriculate, but cannot qualify for such professions as law, medicine, surgery, or mining." Such is the comment of a correspondent, himself a native.

The success of Lovedale Institution, which had up to April of last year trained no fewer than 703 native teachers, shows what may be done.

It is much to be hoped that more will be done in the future both by the Imperial and Colonial Governments to educate and, in the best sense, civilise the natives. Probably one of the most urgent reforms in South Africa is the establishment of a free and, if found to be practicable, a compulsory system of native education on lines adapted to an agricultural people. In particular there is a great opening for more technical education. "It has always been a matter of regret to me," writes the Hon. John Tudhope, in words already quoted, "that the system of industrial schools introduced by Sir George Grey forty years ago has not been developed and extended by subsequent legislation. The undoubted success that has attended the labour of Dr. Stewart and others in that field should have convinced us that in the gospel of work which they preached and practised lay the remedy for many of the ills that affect the body politic."

It must also be borne in mind that no system of education can be satisfactory for a highly emotional people which does not minister to their feelings and develop their rudimentary artistic sense. Underlying many communications on the subject is an assumption that the natives are to be prepared by education only for a life of toil useful to the whites—an assumption for which there is no justification. That the native should aid in "the proper development of the country," to quote a common phrase, is true; but this is often understood to mean training and treating the native as if he were a mere tool. Much is said about the necessity of teaching him "the dignity of labour." This lesson is not for him only; it appears that no inconsiderable part of the white population, especially in the Transvaal, have hitherto failed to

appreciate it. There is proneness to dwell on the indisposition of the natives to engage in hard, continuous work. Such indisposition is not confined to the natives.

In regard to the liquor traffic there is a remarkable consensus of opinion. The evidence is overwhelming as to the ruinous effects of alcoholic liquors on the natives, both physically and morally. The need for prohibiting the sale of such liquors to natives is thoroughly recognised all over British South Africa, and in many parts there are strict prohibition laws. The evidence further shows that in the mining districts where the natives have access to intoxicating liquors, 25 to 30 per cent. of the effective labour of the natives is lost through their excessive use.

With scarcely an exception, our informants are strongly in favour of the total prohibition of the sale of intoxicating liquors to natives. No middle course seems practicable. Opinions differ as to whether the use of native beer should be totally prohibited or carefully restricted and regulated. "Your Committee," says Canon Woodrooffe, "do not appear to be aware of the alarming amount of evil caused by the large native beer parties." Even if the manufacture is permitted, it would probably be well to prohibit the sale. Every effort should be made to ensure the stringent enforcement of the existing prohibition laws ; and in Cape Colony the prohibition might well be extended. In the wine-growing districts all payments of wage in alcoholic drinks should be strictly forbidden.

The natives are, as a rule, law abiding. There is little crime among them ; and where the sale of drink is prohibited, their conduct compares favourably with that of certain sections of the white population. "The most common form of crimes of natives," writes one correspondent, "are assaults and faction fights, and these are nearly always found to follow a native beer-drinking

meeting.”¹ The beneficent effect of prohibition is strikingly demonstrated among the natives in Basutoland and in the part of Bechuanaland under Khama’s enlightened administration.

One remarkable fact ought here to be mentioned: under the fiscal system of Cape Colony—unlike in this respect, probably, the fiscal system of any other civilised country—no revenue is obtained from any excise duty. One result is the great cheapness of the spirits consumed by the native.

The taxation of tribal natives, both direct and indirect, appears heavy when compared with their average income or earning capacity.

The direct taxes, consisting of hut and personal taxes, are, as a rule, paid cheerfully, and collected without much difficulty. It appears, however, that a tax of a fixed amount on each hut tends to prevent the building of huts by unmarried men, and so produces in certain districts an amount of overcrowding which is unhealthy and demoralising. It has been suggested that the evil might be avoided, the revenue supplemented, and the labour supply increased by imposing a poll tax, either on unmarried male adults only, or generally in substitution for hut tax. In the case of the older colonies, at least, it would probably be undesirable to greatly disturb the existing system, to which the natives have grown accustomed.

The most important item of indirect taxation is customs duty. The rates now imposed by the South African Customs Union upon some of the principal articles in native use appear excessive. On blankets the duty is 20 per cent. *ad valorem*, while on certain articles of small value, on which specific duties are imposed, the duty paid is equivalent to from 60 to 100 per cent. It might be

¹ Mr. W. G. Hamilton.

expected that the effect of such rates would be to retard the expansion of native trade, and in Basutoland, at least, the raising of the tariff has been accompanied by a decrease in the value of imports. If, as many observers consider, progress may be stimulated by the cultivation of the natives' growing desire for new commodities, it is clearly desirable that no obstacles should be placed in the way of the development of such trade.

The foregoing observations in this chapter must be read subject to an important proviso: it is essential to bear in mind the distinction between the natives still living in separate districts or locations and retaining to a greater or less extent their tribal institutions, and the more or less civilised natives who have left their tribes and are living under the same laws as the whites. The problems that arise with regard to the one class often have little or no reference to the other, and must be studied with reference to the particular class of natives to which they relate.

Variations in *local* conditions must also be carefully distinguished. What is true of one locality is often untrue or misleading as to another. The Committee have endeavoured to avoid giving their correspondents, communications a broader meaning than they were intended to convey. But in some cases it has been exceedingly difficult to discover how far statements and opinions apparently expressed in general terms should be accepted as such.

This statement of conclusions and suggestions is made with diffidence and with full consciousness of the incompleteness of much of the material available. We recognise the difficulties of the Colonial Governments and the magnitude of the calls which may be made on them in order to do justice to the natives. The native problem is always with them; according to their solution of it

they will suffer or prosper. In the Transvaal and Orange River Colony we would appeal to His Majesty's Government to set on foot a systematic investigation of the special needs of the natives now brought directly under Imperial control. The results of such investigations ought to be supplemented by the experience acquired in Cape Colony and Natal; and we would press on the Governments of these colonies to co-operate by instituting inquiries as to many points of native administration that seem to call for attention at the present time. In Appendix B will be found a statement as to certain subjects respecting which further inquiry appears to us desirable.

Questions affecting labour which we have mentioned are of common interest to the colonies; no solution of most of them is possible without co-operation, and, if a federation of South Africa should be established, such matters would naturally fall within the province of the Federal Government. In the meantime it seems essential that in reorganising the Governments of the Orange River Colony and the Transvaal provision should be made for an effective, and, as far as practicable, independent Native Department. The interest of all classes of whites in these territories will be certain to be consulted at this juncture and in the future; the interests of the natives may receive wholly inadequate attention in the absence of such a department, presided over by officials of experience and ability, who would command general confidence.

We have many proofs of the ability and sympathy shown by the native departments of Cape Colony and Natal, and by the civil commissioners and magistrates in their treatment of native affairs. It may be worth considering whether some of the minor appointments might not be given to such natives as were found capable of filling them. Cases of remarkable distinction may arise among the natives in the future as in the past, if British rule does not arrest

their highest development. It would be unreasonable that men of the stamp of Khama or Moshesh should, merely on the ground of colour, be debarred from the highest service to the State for which they are fitted.

One of the difficulties of the situation is an indisposition on the part of many, an absolute refusal on the the part of some, to accept what seem to this Committee the necessary and proper consequences of the fact that the natives are now the great majority of the population, and will, according to present appearances, preponderate still more in the near future. In the view of the Committee, so far as is compatible with progress, and with due regard to the interest and safety of the white population, the welfare of the great majority of the inhabitants ought to determine the policy of the Government in regard to all these matters. The Commonwealth of the future in South Africa ought to include the mass of the native and coloured people ; and legislation should lead up to this result. Even in the statements of many of those who are kindly disposed to the natives there is not, what appears to us of great importance, a recognition of their claims to form part of the Commonwealth. Expressing a common opinion, several of our correspondents state that the natives, not being the equals of the whites, must be treated as children or minors. Even if that view were correct, we miss in the policy pursued towards them a clear perception of the duties of guardians to minors. " Providence has placed us," writes one correspondent, " in the position of being their guardians and teachers. We owe them surely a chance to live, and protection and security in the industries which are the adjuncts of civilisation."

There is, too, sometimes an assumption that the interests of the community require those of the white to be preferred to those of the native ; that the black man must be made to labour, while the white man need not ; that a

supply of native labour must be provided for the white capitalists and farmers, with little reference to the result to the natives; and that the latter are idle when they are occupied with their own affairs or on their own small holdings. As the Coadjutor-Bishop of Cape Town remarks, those who dilate on the alleged idleness of the Bantus do not take account ordinarily of the work done on their own land or in connection with their own homesteads, "but only of work done for the white men."

It is to be remembered that the white population of South Africa has for its guidance in regard to the native question the experience of other countries. Mistakes that were once pardonable—mistakes for the most part arising from want of sympathy or overweening sense of race superiority—are now less excusable. Surely there could be no nobler object of ambition for the Governments of South Africa than to solve by patience, wisdom, and justice, problems which have baffled countries trusting to repression and influenced by pride of race.

The creation in South Africa of societies or agencies, not so much to air grievances as to promote the welfare of the natives, to keep alive the sense of common interests, to weaken the sense of repulsion, to speak together of things which lie apart from politics but are vital to the Commonwealth, seems desirable; and this Committee would gladly aid in forming such organisations.

We attach even greater importance to the introduction and growth of new ideas as to the natives than to legislative measures, however well meant. This rests with the people of South Africa themselves. Not in any censorious spirit, and with sympathy with them in the difficulties around them, we would venture to urge them to combat the spirit of race intolerance, and to labour for an Africa in which white men and black, though different, will respect and help one another.

APPENDIX A

REPLIES RECEIVED FROM CORRESPONDENTS OF THE COMMITTEE TO QUESTIONS ADDRESSED TO THEM

THE following is a list of the correspondents from whom the Committee have received information. Some of them have, at the Committee's request, been good enough to furnish a short description of their experience and means of observation.

CAPE COLONY, ETC.

- ARTHUR, Rev. W., Minister of Native Church, Kruisfontein, Humansdorp.
- BARRETT, Rev. E. J., Buntingville; personal observation of natives in Cape Colony and the Transkei, and lately in Pondoland; a witness before the 1883 Commission.
- BOKWE, John Knox, United Free Memorial Mission, Ugie, Maclear; lately joint proprietor of the native paper *Imvo*, published at King William's Town.
- CAPE TOWN, Bishop-Coadjutor of (Right Rev. Alan G. S. Gibson, D.D.); formerly a missionary at Umtata, Tembuland, and St. Cuthbert's, Griqualand East, from May, 1882, to May, 1894.
- COCK, J. N., Port Alfred, Lower Albany, Bathurst District; Inspector of Native Locations.
- CUMMING, J. P., Tsolo, Griqualand East; Resident Magistrate.
- DOWER, Rev. W., Minister of Native Church, Port Elizabeth.
- DUGMORE, G. E., Managing Director Indwe Railway, Collieries, and Land Company, Ltd.
- GAMBLE, Rev. Thomas; has always lived in the coast districts—George, Swellendam, and now Uitenhage.
- GREEN, Rev. Cyril S., Nkanga, Mlengana, Pondoland.
- HARPER, Rev. John, King William's Town.
- HELM, Rev. Sam. J., Grahamstown; seventeen years' residence in the districts of Albany, Alexandria, and Bathurst.
- HEMMING, John, Grahamstown; Civil Commissioner, Albany Division.
- HOWIESON, Rev. R., Hankey Mission Station, Humansdorp.
- HUNTER, D. A., Lovedale, Cape Colony; experience of the country derived from "(1) An extensive journey through Cape Colony, Orange Free State, Transvaal, Bechuanaland, Basutoland, Natal, East Griqualand, Pondoland, and the Transkeian territories, in the years 1893-4; (2) a residence in the Eastern Province of Cape Colony during two and a half years (1895-8), most of which was passed at Lovedale."

- HUNTER, Rev. Peter L., Gillespie, Mount Ayliff; speaks with reference to the Xesibe District, in which he has resided for ten years.
- LEVEY, C. J., Civil Commissioner and Resident Magistrate, Dordrecht, District of Wodehouse.
- MAC SHERRY, Right Rev. H., Titular Bishop of Justinianopolis, Port Elizabeth.
- MATHEWS, Rev. G. D., D.D.; General Secretary, Alliance of Reformed Churches holding the Presbyterian system.
- MICHELL, Lewis L., General Manager Colonial Branches Standard Bank of South Africa; he writes "not as an expert, but as having lived thirty-four years in the country, and travelled over every part of it."
- MOFFAT, Rev. J. S., C.M.G., Mowbray, Cape Town; born Kuruman; Missionary in Matabeleland, 1859-65, Bechuanaland till 1879; Commissioner on western border of Transvaal, 1880-1; Resident Magistrate, Maseru, Basutoland, 1882-4; Resident Magistrate, Bechuanaland, 1885-7; Assistant Commissioner in Bechuanaland Protectorate and Matabeleland, 1887-95; Resident Magistrate, Taungs, 1895-6.
- MOSELY, A.; twenty-five years' experience of natives from all parts of South Africa.
- ROBERTS, S. H., Chief Inspector of Natives, Queenstown.
- ROSS, Rev. Brownlee, Toleni, Transkei; Free Church Missionary.
- RUBUSANA, Rev. Walter Benson, Kafir Minister (Congregational), East London; seventeen years a missionary. The replies are framed by himself in conjunction with a few educated native friends (including A. Kirkland Soga and George W. Tyamzashe, editors of the *Izwi Labantu*, a native paper published at East London).
- ST. JOHN'S, the late Bishop of (Right Rev. B. L. Key), Umtata; thirty-five years in Transkeian territories, first as Missionary of the S.P.G. in district of Tsolo for eighteen years; since 1883 as Bishop of St. John's. His diocese exactly corresponded to these territories.
- SCHREINER, Theophilus L.; formerly an employer of native labour at Kimberley; for the last twenty years has been doing mission and temperance work among the black and coloured people in different parts of South Africa.
- SCULLY, William Charles; Resident Magistrate and Civil Commissioner of Bathurst; formerly Resident Magistrate for six years in the native territories, also Northern Border, Fort Beaufort, Stockenstrom, and Peddie.
- STIRLING, Rev. J. W.; United Presbyterian Missionary in Kaffraria for past sixteen years.
- STRACHAN, Donald, Bizweni, Umzimkulu; forty years' experience of natives in Transkei, Natal, and portion of Basutoland, living among them and acting as commandant, magistrate, trader, and farmer.
- SUTHERLAND, John, M.A., Temporary Clerk to Civil Commissioner, Queenstown.
- SUTTON, William, King William's Town; over twenty years in South Africa in various parts.
- TILLARD, R., Fort Beaufort; Clerk to Civil Commissioner and Resident Magistrate, Peddie, for several years; afterwards

the same at Richmond and Grahamstown ; Resident Magistrate, Port Nolloth ; Resident Magistrate and Civil Commissioner, Mafeking (three years) and Vryburg for nine years ; Civil Commissioner and Resident Magistrate, Fort Beaufort, for two years.

TURNER, W. J. St. J., Resident Magistrate, District of Mount Ayliff.

WAGGETT, Rev. P. N., House of Cowley Fathers, Oxford.

WEIR, James W., King William's Town ; merchant.

WOODROOFFE, Rev. Henry R., Canon of Grahamstown ; five years a missionary among Xosa, Tembu, and Fingo races ; fifteen years a Government School Inspector ; has lived over forty years in South Africa. "My remarks are based upon actual contact with the natives, more than upon anything else."

NATAL—

AITCHESON, Rev. S., Ikwezi Lamaci Mission, Harding, Alfred County.

BRYANT, Rev. D., Ebuhleni Mission, P. O. Obanjani, Zululand ; a missionary of nearly twenty years' standing among the natives of South Africa.

CHADWICK, J. C. C., Resident Magistrate, Umgeni Division.

DAVIES, G. H., Forest Ranger, Qudeni, Natal ; twenty-one years in Natal and Zululand.

FERNIE, Rev. John, Pietermaritzburg ; Congregational Minister.

HAMILTON, W. G., Post Office in Natal.

NICOLSON, W. ; has resided in Natal, in town and country, about twenty-five years.

PUGH, Rev. G. John, Missionary, Congregational Union, Table Mountain Mission, Cato Ridge, Natal.

WALTON, W. Spencer, Superintendent South-Eastern Branch South Africa General Mission, Durban.

BECHUANALAND PROTECTORATE—

WILLOUGHBY, Rev. W. C., Palapye.

BASUTOLAND—

CASALIS, Rev. Alfred, Paris Evangelical Missionary Society, Morija ; twelve years in Basutoland.

TRANSVAAL AND ORANGE RIVER COLONY—

DARTON, Miss Phoebe Mary ; has resided in the Transvaal, Orange Free State, and Basutoland.

PHILLIPS, Lionel ; Manager of Diamond-mines, 1875-89 ; President of Chamber of Mines, Johannesburg, where his firm employed 30,000 to 40,000 natives,

PRETORIA, Bishop of (Right Rev. H. B. Bousfield) ; twenty-two years' residence in diocese.

MILLER, Henry W. ; Vice-President of the Association of Mine Managers of South African Republic ; a constant employer of labour in the Transvaal since 1883 ; and a member of the Native Labour Committee of the Chamber of Mines and the Association of Mine Managers of the South African Republic for the last nine years.

RHODESIA—

CARNEGIE, Rev. David, Centenary Mission, Figtree Post Office, near Bulawayo ; has had eighteen years' experience of natives. His replies to queries contain practically the united opinion of the members of the district committee meeting of the mission held at Hope Fountain.

TAYLOR, Herbert J., Chief Native Commissioner, Bulawayo.

THOMAS, W. E., Tegwani, Plumtree, Matabeleland.

Besides the above correspondents, others, whose names, by reason of their official positions or for other reasons, the Committee are not at liberty to publish, have sent the Committee contributions.

Nearly all the contributions received from correspondents are in the form of answers to the several questions contained in a circular issued by the Committee, dated January 25th, 1900. While all the replies received to this circular cannot be published in full, it has been found possible, by means of selection and summaries, to include whatever appears most valuable and representative of the different phases of South African opinion on native questions. It has been sought to do this impartially, and without regard to whether answers were or were not in accord with the Committee's own conclusions.

As many of the replies relate only to particular districts, they should be read in connection with the notes contained in the above list as to the means of knowledge of the various correspondents and the districts for which they speak.

REPLIES TO QUESTIONS

QUESTION I.—*What, speaking generally, is in South Africa the difference between the wages of the white and native workmen or labourers (including British Indians in Natal, etc.), in : (A) agricultural occupations ; (B) mining occupations ; (C) other industries ?*

CAPE COLONY, ETC.

MR. J. KNOX BOKWE

. . . In this district, for instance, I find that for a contract of six months a man is allowed six ewes (value from 5s. to 10s.), and his wife three for domestic service, both with rations of grain. The native who informed me was himself serving a second term, under a Dutch Boer, and has earned thirty sheep, including increase of breed. . . .

REV. W. DOWER

In these parts a coloured tradesman, if equally competent, gets wages equal to the white man. Quality of work rather than colour of skin counts. White labourers are few ; indeed, a white labouring man in this country, if he be sober and possess ordinary intelligence and self-respect, soon becomes a superintendent of Kafir labourers, or acquires property and becomes practically independent. . . .

REV. R. HOWIESON

As you well know, agricultural occupation is the only kind of labour in and around Hankey for natives, and this kind of work is left entirely to natives, so that one has not the opportunity to speak of the different rates of wages given to the different races. The farmer or master, as a rule, does little or no work himself. Where there are a few grown-up sons in a family they may do a little; but, generally speaking, the labour is done by natives. With farm labourers wages in money are seldom, if ever, paid. A man buying a farm invites a certain number of natives to settle down on a part of the farm which he allots to them free of charge, where they build huts for themselves. This done, the farmer enters into some agreement with them regarding the cultivation of his land, the usual method being that the natives do all the work—ploughing, weeding, and reaping—and get a share of the produce, while the farmer supplies the seed. The share given to the labourers is sometimes a half and sometimes a third of the crops. This may depend upon the nature of the farmer or upon the nature of the soil. If the farmer is a greedy, unscrupulous man, he screws as much as he can out of his labourers; if the soil is rich, a third part is often considered a good remuneration for the labour involved. So far as my experience goes, this working on the share system, as far as remuneration is concerned, is very feasible. It supplies the labourer with a motive for working well, it gives him an interest in all he does in the land, it ensures food for himself and family.

Although some of our Hankey people go out to the farms and work on this principle, yet on the whole things are different in Hankey. We have a recognised wage of 2s. a day for all such labour. This, I would imagine, is no more than a third of the remuneration a white man would expect.

MR. C. J. LEVEY

Speaking generally, it is impossible to lay down a reliable comparison between the wages of white and native workmen or labourers, inasmuch as there is no practical competition between the two.

(A) In agricultural occupations the native is the only person who occupies a position in any degree analogous to that of a farm labourer in England. If any white men were employed other than the occupier, they would occupy the position of overseers in their relation to the native employés. Their position might not be so stated, but it would be such actually.

(B) The above applies also in the same general way to such mining employments as are to be found in this district. In the Indwe coal-mines there are at the utmost about fifty white miners and about fifteen hundred natives who are actually miners. Practically the fifty white miners are foremen having large numbers of the native labourers under them. There are no native overseers, and the work of the natives is the simple labour of picking, hewing, and screening the coal. Any technical knowledge required is supplied by the white miners. The two classes are in no sense competitive.

(C) In other industries the same remarks apply generally. There may be some measure of competition in purely native territories, as the result of native industrial institutions, but it would be competition

between employers, and not employés. As a matter of fact, however, native employers, carpenters or builders, would undertake a class of work which skilled European workmen would not.

MR. LEWIS L. MICHELL

Natives employed (A) in agricultural occupations are badly paid, as agricultural labourers are in other countries; but food in the rural districts is cheap and the expense of living far more moderate than in towns. Most labourers are also practically housed. (B) Natives in the gold-mines are distinctly overpaid, and the overpayment leads to many evils. The Chamber of Mines at Johannesburg struggled for years to maintain an adequate labour supply, and thus reduce excess wages, but corrupt administration of an imperfect law thwarted all their efforts. In regard to white labour, there is little of it in agriculture—nor ever likely to be much—but in mining skilled white labour is highly paid.

REV. J. S. MOFFAT, C.M.G.

In the Cape Colony wages in agricultural operations are low, but vary greatly according to locality. For instance, on the wine-farms in the Western Province labourers are paid nominally 2s. a day, but that means, in many cases, 1s. in cash and the rest in wine—to take home with them at night.

The indentured Bechuanas¹ are paid nominally 10s. a month, but are lodged—in a way—and have rations for themselves and families. Women are paid 7s., and young persons in some cases get 5s. In some instances these payments are never made, being stopped on various pretexts. In the back districts of the Cape Colony wages are often low; but on some stock farms the labourer is allowed to keep stock of his own and to plough a piece of ground, giving his master half the crop.

On the northern frontier young men will sometimes work for rations, and at the end of twelve months receive a heifer, worth, say, £3.

The mining industries run up wages very high. In the De Beers' compounds at Kimberley the minimum wage is 15s. a week, out of which the labourer has to feed himself, which he can well do for 1s. a day. There are, however, skilled men, such as those who drill holes for blasting, who are paid as much as 5s. a day. They are supposed to work eight hours a day, but some who become more expert can finish the piece allotted in six hours. They are paid for overtime and Sunday work extra. There are natives in De Beers' compound who are earning at the rate of £10 a month. Three or four pounds a month is the usual pay in the Cape Town docks, on the drainage works, and other heavy contract work, such as building reservoirs and the navy work on the railways. Nearly all this work is now done by Kafirs, Fingoes, Basutos, and others of the Bantu race, with, of course, European overseers.

Somewhat similar wages are paid to foremen and porters in the warehouses in Cape Town. The result is that white men are practically crowded out of the labour market and can only find work if they have higher qualifications.

In Cape Town, Kimberley, and other large centres, many of the coloured (mixed) people are the artisans, coachmen, cab-drivers, and are well to do. The women are laundresses. Coloured domestic

¹ See *supra*, p. 103.

servants get £2 and upwards a month. My remarks do not touch white people at all. They either will not or cannot live on the earnings which satisfy the natives. The cost of living is heavy, food (bread and meat) is highly taxed, and rents are enormous.

MR. S. H. ROBERTS

. . . The wages obtaining amongst natives at present, excluding agricultural labourers, have advanced during the past few years at least 100 per cent. ; the advance in regard to farm labourers is not so great, say from 50 to 75 per cent.

REV. W. B. RUBUSANA

(A) *Agricultural Occupations.* Speaking of the difference between the wages of the white and native workmen or labourers, it is not generally the custom to employ European husbandmen in agricultural operations, and it would therefore be difficult to quote any definite wage as being paid to Europeans. Such labour is almost wholly performed by the aborigines of the country—*viz.* the natives and other coloured people in the Colony. It is the case in a few instances to employ European foremen, or overseers, at a monthly wage varying from five to ten pounds sterling (£5 to £10), with board and lodging. Farm servants, both black and coloured, are usually paid at the nominal rate of 10s. per month, with allowances in the form of rations and sleeping accommodation. This is the uniform wage amongst colonial farmers in the Eastern and Western Provinces, and may be taken as a general standard throughout South Africa. A further perquisite, and a most pernicious one, is granted to coloured labourers in the wine-growing districts in the shape of "*souffjes*," or "*tots*," of liquor. This has the effect of demoralising the labourer, so much so that the Kafir of the Eastern Province avoids those districts as he would avoid small-pox. The effect has been to discourage any flow of labour from the Eastern Province to the wine-growing centres, with a consequent outcry on the part of the farmers, backed by their representatives in Parliament, for legislation compelling the importation of labour from other sources. For example, the Hon. J. X. Merriman, M.L.A., suggested, in a discussion in the House on the labour question in 1897, that as the colonial agricultural labour was so unsatisfactory, the experiment of importing a shipment of Continental peasants, say Italians or Portuguese, should be tried, as the country required cheap white labour. As a further proof, the Hon. J. Rose-Innes, M.L.A., remarked, in reply to Mr. Merriman, that native workmen were becoming so scarce that nearly all the farms in the Constantia district had to be worked by convicts; he also thought that money spent in bringing workmen south would be well spent. Mr. D. C. de Waal, M.L.A., hoped the Government would come to an arrangement with the Portuguese Government to get a shipload of Zambesi and Mozambique boys for the Colony. Mr. Merriman remarked that natives on wine-farms often got too much drink, and that Scotchmen and Englishmen would do anything before they would go up on the land as labourers.

It will thus be seen that European labour is not generally obtainable on farms, and that the aboriginal native, as a matter of self-protection, avoids the wine-growing districts. In other parts his wage does not vary, except in cases where stock payments are substituted,

where a few goats or sheep and one or two cattle are paid per annum in lieu of monetary wages. The great scandal of the surrendered Langeberg rebels being deported to those provinces by the Colonial Government is another proof of the great dearth and unsatisfactory condition of the labour question there.

(B) *Mining Occupations.* In the Report of the Commission appointed by the Transvaal Executive, in 1897, to inquire into the mining industry, it was pointed out that no skilled man will work for less than he and his family can live on, and that a salary of £18 to £30 a month for such skilled labour was hardly sufficient for daily necessities, but the ordinary unskilled European workmen were paid at a much lower rate. It might be safe to say that the unskilled European labour can easily average from £7 10s. to £15 a month. On the other hand, the native, being generally unskilled, averages, for the various pursuits connected with mining operations, from 2s. 6d. to 3s. 6d. a day, with food consisting of mealie-pap, and accommodation of the most primitive and unhealthy kind. At some mines meat rations are given twice a week, but generally the boys provide themselves with extras. They are also required to take out passes, for which they pay 2s. per month, and vaccination fees 1s., and hospital fees 1s. per month.

(C) *Other Industries.* There is no comparison between European salaries and native wages in the general industries of the Colony, as the native is relegated to a different plane from that occupied by a European. In all departments, whether Church, State, or commerce, it appears to be an unwritten law and an understood conspiracy to prevent native competition and progressive aspiration on his part by denying him enhanced wages or levelling up salaries on a uniform basis with the European, no matter how worthy or intelligent his services may be. Custom ostracizes him from the avenues of trade and speculation, and his admission to trades-unions or building societies is extremely rare.

All adult males are called by the undignified title of boys, no matter how worthy or competent or respectable they may be, and the wages are squared correspondingly. In spite of this, it bespeaks for the native a superior manhood that even a few have succeeded in competing with the European in some enterprises which, as a customary rule, are debarred from him.

As a rule native wages at ports and harbours, as ordinary carriers, seldom exceed 2s. to 3s. per diem, without food; the same may be said of the trades and commercial pursuits, private and Government contracts, such as railways and public works, general and domestic servants, policemen, etc., etc.; although in exceptional cases of skill and experience in trades and the Civil Service 5s. might be reached. It would be easy to point out Church and schools as defaulters in this respect; but we think we have said enough to convince reasonable men that fair wages and good accommodation are the exception, not the rule, all over South Africa. It is most important, however, that the fullest investigation should be made into the grievances connected with the payment of employes in both Church and State. Much dissatisfaction is expressed by those who fall under these two departments, as they find how difficult it is to maintain the semblance of respectability expected of them and their families in this relation.

It was the expressed desire of the late Sir Bartle Frere—a desire which has not found any sympathy or support from the responsible colonial authorities—that intelligent and educated natives should be

encouraged and vested with increased authority, and be allowed a more prominent and active participation in the Government of their own people in those departments of the Civil Service in the Transkei and other centres where natives preponderate. Unfortunately, these philanthropic sentiments of such men as Sir George Grey and Sir Bartle Frere, and a few others, are not looked upon favourably by colonists of English and Dutch extraction, much to the disgrace of these two races, whose persistence in a misguided policy of oppression of the subject races placed under their control by an over-ruling destiny must inevitably recoil upon them to their own detriment. We say it with all due recognition of the responsibility of this statement, that amongst the reasons for the present unhappy conflict between the white races inhabiting South Africa, not the least among the causes will be found to be the short-sighted and altogether unchristian policy of those whose duty it is to govern in righteousness, equity, and justice. . .

MR. T. L. SCHREINER

The permanent native servants on farms get but little wages in money, but they have advantages which stand them in lieu of wages. If the farmers were able and willing to pay higher wages, they could obtain labour as easily as, or even more easily than, the mines. . . .

MR. JAMES W. WEIR

Every day the value of the native as a labourer is becoming more and more appreciated. As for the educated one, he is well able to take care of himself.

Throughout the Cape Colony and in all branches of service the natives are well paid.

REV. CANON H. R. WOODROOFFE

. . . I observe . . . (1) that the native does not perform in a day so much work as a white man; (2) that the natives require supervision, and must pay for it; (3) that the rate of wages in both cases is affected by the supply and demand of and for labour; (4) that in proportion the natives save more out of their wages than white men.

AN ANONYMOUS CORRESPONDENT

. . . Speaking generally, a raw African native gets in wages about a third of the European labourer, an experienced native about half.

NATAL

MR. J. C. C. CHADWICK

White agricultural labour is unknown in this colony. Native agricultural labour is confined for the most part to two classes: (a) natives who are tenants on the land of the farmer for whom they work, and whose wages are generally much below what they can command in towns, in stores, hotels, and private houses, as storemen, grooms, waiters, coachmen, and kitchen boys, ricksha pullers, trolley drivers, wagon drivers, etc.; (b) natives who work for money advanced by farmers. These may be said to be in the same category as the last as regards the wages they receive, which average, I should say,

less than half what they can command in the open market. These are the worst kind of labourers. Having received their pay beforehand and knowing that they are only getting about half what they can earn elsewhere, they naturally do as little as they can, and are really not worth more to the farmer than he pays them.

For agricultural purposes in Natal the only reliable labour is that of indentured British Indians. . . .

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

Agricultural operations are confined to natives, who remunerate one another according to native custom, but there is no "wages" in the sense of the question. . . .

It must be remembered that the Protectorate is *native territory*; hence these replies.

TRANSVAAL

THE BISHOP OF PRETORIA

. . . Natives engaged in agriculture are usually under Boer masters, giving labour in return for leave to dwell, or "squat," and sometimes treated with high-handed cruelty and breach of faith. There are exceptions, but I fear the rule has been selfish injustice. . . .

RHODESIA

MR. W. E. THOMAS

. . . In mining occupations . . . the greater trustworthiness and application and skill of the white man secures a higher rate of wage for him, and of course his responsibility is greater. A white man is always supposed to attend to the loading and firing of dynamite shots, and is held responsible if he leaves this duty to a native alone and any accident occurs. Where a white man and native undertake the same work and the same responsibility, they are paid the same wage. But only very few natives are to be entrusted with the responsibilities which are generally entrusted to a white. . . .

SUMMARY OF RATES OF WAGES

The particulars as to the rates of wages paid to natives supplied by correspondents in reply to the above question, may be summarised as follows:—

(Abbreviations : p.d.=per diem; p.w.=per week; p.m.=per month; misc.=occupations other than agricultural or mining.)

CAPE COLONY, ETC.

MR. J. KNOX BOKWE. *Agriculture*: whites, 4s. 6d. p.d.; natives, 1s. 6d. p.d.; or whites, 30s. to 50s. p.m.; natives, 10s. to 20s. p.m., with rations. *Mining*: whites, 10s. or 12s. p.d.; natives, 2s. 6d. to 3s. 6d. p.d. Some mines pay natives 25s. to 30s. p.w., with corresponding increase to whites. *Misc.*: artisans, natives about half the pay of whites.

MR. J. N. COCK. Whites. 5s. 6d. to 15s. p.d.; natives, 2s. to 4s. 6d. p.d.

REV. W. DOWER. Native shepherds from 10s. p.m., with food.

- MR. G. E. DUGMORE. *Agriculture*: whites (overseers), £5 to £10 p.m., with house, land, and grazing; natives, 10s. to 15s. p.m., and rations and free run for few head of stock. *Mining*: whites (overseers), 10s. to 15s. p.d.; natives, 1s. 6d. to 3s. p.d., and rations, in special cases 4s. p.d.
- REV. S. J. HELM. *Agriculture*: natives, 15s. to 20s. p.m., with food. *Misc.*: (taken from Grahamstown municipal pay-sheet) carters, white, 6s. p.d.; ditto, coloured, 3s. p.d.; gravel diggers, white, 3s. 6d. p.d.; ditto, coloured, 2s. 6d. p.d.
- REV. R. HOWIESON. *Agriculture*: whites (none); natives, share of crops or 2s. p.d.
- REV. P. L. HUNTER. *Agriculture*: natives, men, 9d. to 1s. p.d.; herd boys, 5s. to 7s. p.m.; stable boys, from 10s. p.m.
- TITULAR BISHOP OF JUSTINIANOPOLIS. *Agriculture and Misc.*: natives, 50 per cent. less than whites.
- REV. J. S. MOFFAT. *Agriculture*: natives on wine-farms, 2s. p.d. (nominal); indentured Bechuanas (with food and shelter), men, 10s. p.m.; women, 7s. p.m.; young persons, 5s. p.m. *Mining*: (De Beers), natives, minimum, 15s. p.w.; skilled men, 5s. p.d. (eight hours), special cases up to £10 p.m. *Misc.*: Cape Town docks (heavy contract work, etc.), £3 to £4 p.m.; domestic servants, £2 p.m. and upwards.
- MR. A. MOSELY. *Agriculture*: about one-third of wages paid to whites. *Mining*: about one-sixth ditto. *Misc.*: probably one-third to one-fifth ditto.
- REV. B. ROSS. *Agriculture*: natives, 10s. p.m.
- REV. W. B. RUBUSANA. *Agriculture*: black and coloured, 10s. p.m., with rations and sleeping accommodation; white overseers, £5 to £10 p.m., with board and lodging. *Mining*: natives, 2s. 6d. to 3s. 6d. p.d., with rations and sleeping accommodation; whites (unskilled), £7 10s. to £15 p.m. *Misc.*: natives, porters and men on contract and Government works, policemen, and others, 2s. to 3s. p.d.; special cases, 5s. p.d.
- THE LATE BISHOP OF ST. JOHN'S. *Agriculture*: native, 10s. to 15s. p.m., with food. *Mining*: about £4 p.m. *Misc.*: native carpenters, 5s. to 7s. 6d. p.d.
- MR. THEOPHILUS L. SCHREINER. *Unskilled labour*: same pay generally as whites, but latter seldom so engaged. *Agriculture and mining*: from 2s. 6d. to 3s. 6d. p.d., with (in case of mining employes) lodging, wood, and water. *Misc.*: somewhat less when permanently employed. *House servants*: from 5s. to 30s. p.m.
- MR. W. C. SCULLY. *Agriculture*: natives, 10s. p.m., with food and usually pasturage for a few head of stock. *Misc.*: natives, 2s. p.d.
- MR. DONALD STRACHAN. *Agriculture*: whites, £5 p.m., and board; natives, 10s. to 20s. p.m., with food; indentured Indians, same as natives, but with free medical attendance. *Mining*: whites, £10 to £30 p.m.; natives and Indians, £2 10s. to £5, with food. *Misc.*: same as mining.
- MR. JOHN SUTHERLAND. *Agriculture*: whites, 2s. 6d. p.d., with food; natives, 10s. p.m., with rations. *Misc.*: wool washing, natives, 2s. to 3s. p.d.
- MR. WILLIAM SUTTON. *Agriculture*: natives, 20s. p.m.; whites 30s. p.m., with food and a house. *Mining*: natives, £3 p.m., and rations; whites (overseers), £15 to £18 p.m., and a room. *Coachmen*: native, £5, and food and shelter; white, £10.

- MR. R. TILLARD. *Agriculture and Misc.*: whites, 25 per cent. more than natives where qualifications equal.
- ANONYMOUS. Raw natives about one-third, experienced about one-half of wages paid to whites.

NATAL

- REV. S. AITCHESON. *Agriculture*: natives and Indians, 10s. to 20s. p.m., with food and lodging; whites (none).
- REV. D. BRYANT. *Agriculture*: natives, 10s. p.m., with rations; Europeans (none). *Mining*: natives, £2 to £6 p.m., with food; average in Transvaal, £3, in Natal, £2; whites, £15 to £20. *Misc.*: natives in domestic and mercantile pursuits, Durban, 30s. p.m., Maritzburg, 22s. p.m., other towns, 15s. p.m., with rations in each case; European tradesmen, 10s. to 15s. p.d.
- MR. J. C. C. CHADWICK. *Agriculture*: indentured British Indians, 10s. p.m. for the first year, up to 14s. p.m. for the fifth year. *Misc.*: in towns and in many country places a good kitchen boy receives from 30s. to £2 p.m. with rations, and a housemaid from 10s. to 15s. p.m. in the country, and from 15s. to 20s. p.m. in the towns. The female servants expect to be fed like Europeans.
- MR. G. H. DAVIES. Whites, from £7 10s. p.m.; Indians (free), £3; natives, £1 to £3, with board and lodging in each case.
- MR. W. G. HAMILTON. Whites (supervision), £7 to £12 p.m.; natives, 30s. to 50s. p.m.
- MR. W. NICOLSON. White skilled artisans, about 9s. to 10s. p.d., or, with rations, 7s. to 8s. p.d.; white farm labourers, £5 to £6 p.m., with rations; native labourers, 20s. p.m., with rations; Indian labourers, 30s. p.m., with rations; native and Indian artificers, about double these amounts.
- REV. G. JOHN PUGH. *Agriculture*: natives, 10s. to 20s. p.m.; indentured Indians, 10s. to 14s. p.m., with rations. *Mining*: natives, 20s. to 30s. p.m. *Misc.*: 2s. 6d. to 6s. p.d.
- MR. SPENCER WALTON. *Agriculture*: natives, 2s. p.d., and food, but service often given in exchange for the use of land and a few shillings monthly.

TRANSVAAL

- MISS P. M. DARTON. Native domestic servants, £3 to £6 p.m., and "scoff."
- MR. H. W. MILLER. *Agriculture* (almost entirely native): whites, £4 to £5 p.m.; natives, 20s. to 30s. p.m. *Mining*: whites, £15 to £30 p.m.; natives, 30s. to 60s. p.m. *Misc.*: native domestic servants, £3 to £5 p.m.; grooms (exceptional cases), £6 to £9 p.m.
- THE BISHOP OF PRETORIA. *Mining*: whites, £4 to £20 p.w.; ordinary natives from £1 p.w. *Misc.*: shop assistants, mechanics, etc., whites, £4 10s. to £25 p.w.; natives, £2 p.w.; domestics, whites, £5 to £10 p.m.; natives, £2 to £4 p.m.

RHODESIA

- MR. W. E. THOMAS. *Agriculture*: natives, 10s. p.m., with food; native drivers, up to £5 p.m., with food; ditto, whites (rare), £5 p.m., with food; whites in responsible positions on farms, £10 to £15 p.m., with food.

QUESTION II.—*Is difficulty experienced in procuring a sufficient supply of native labour in any or all of the above industries? If this difficulty exists, is it diminishing or increasing, and, in your view, from what causes?*

CAPE COLONY, ETC.

REV. E. J. BARRETT

I did apprehend, before the war, that the development of Rhodesia would be somewhat retarded, because of the great expense of the journey up; probably arrangements with Government by which native labourers could get a reduced fare could be made, and the difficulty met.

Our Middle Drift people used often to borrow of white men, at a very high interest, the means of getting to Johannesburg, putting a beast in pawn for the money. One would like them to be saved from having to do so.

MR. J. KNOX BOKWE

Usually there is no difficulty in procuring native labour where the treatment is good and the payment of wages regular.

REV. W. DOWER

No serious difficulty is found where the native labourer is fairly well treated and paid. The mining industries carried on under British rule have always been well supplied with native labour, because the native labourer knows that he can recover his earned wages by legal process if refused by the employer. The wages of agricultural labourers, shepherds, etc., are often miserably small, often 10s. a month. This is with food, and often his wife and children are also employed, and they wear out the cast-off clothing. But whether great or small, he is protected in British colonies by Master and Servants Acts and similar legislation, under which his case gets a fair trial. In the Dutch districts it is often difficult to get a jury to convict a Dutchman against a native. . . .

MR. G. E. DUGMORE

We have no difficulty in getting labour, but farmers in the neighbourhood have, owing to the better wages paid at mines than on farms.

REV. JOHN HARPER

In regard to (A) and (C) of Question No. 1, the supply of labour fairly meets the demand. In regard to (B) some difficulty, chiefly in the Transvaal, exists.

The difficulty is largely due: first, to the very large numbers of native labourers required by the mining industries; second, to the insecurity, injustice, and oppression experienced by natives in the Transvaal, which makes them unwilling to seek that field of labour. If these conditions were removed the difficulty would diminish.

REV. S. J. HELM

There is not the slightest difficulty in obtaining native labour for fair wages, either in towns or country. Farmers who pay their servants well have again and again testified that they have not any

trouble in getting servants (of course, farm labourers' wages are not so high as in towns, average from 15s. to 20s. a month, with food); and in towns those who pay and treat servants well have no servant difficulty.

MR. JOHN HEMMING

As far as I know there is no difficulty in obtaining a sufficient supply of native labour; the native is fully alive to the necessity to work in order to obtain a living.

REV. R. HOWIESON

So far as I am aware there is no difficulty here in procuring native agricultural labourers, wherever there is a fair remuneration given, and when the master is human-hearted. I was once told by a farmer that he could not get natives to do his work; but on making inquiry among the natives, the reason given was this, that instead of paying the usual 2s. a day, he offered 1s. a day and food. As a native labourer's food costs considerably less than a shilling a day, it was not surprising that no one would accept these terms. My experience is that the natives, as a whole, are quite willing to work if there is the prospect of a fair remuneration; indeed, many have come to me begging me to give them work to do.

MR. D. A. HUNTER

There has been difficulty in obtaining sufficient native labour for the gold-mines, especially in the Transvaal. With the advent of fairer treatment and the certainty of protection and justice, which the native may expect under the British flag, the supply will probably come to equal the demand.

Under Boer rule, though there was *de jure* justice for natives, *de facto* there was none.

It is more difficult to get sufficient agricultural labourers, the reason probably being that work on mines is much better paid than work on farms; and work in the towns and villages is both lighter and better paid also.

This has been an acute difficulty in Cape Colony, and, so far as I can see, it is likely to grow, unless wages are raised considerably. There must also be taken into account the old custom among the Kafirs for the women to do the hard work in the fields, while the men did little but look after the cattle.

MR. C. J. LEVEY

There is no difficulty experienced in this country in procuring a sufficient supply of native labour in any of the above industries.

MR. LEWIS L. MICHELL

The farmer complains that he has to pay year by year more for native labour, owing to the superior attractions offered by the mines; but there is significance in the fact that many a farmer obtains all the labour he requires on his own terms, while his neighbour can with difficulty get labour at all. It is true in Africa as elsewhere that the master makes the servant. I have no doubt that if the Transvaal labour laws were reformed and justly administered, the competition complained of would almost cease. Thousands of natives now

idling in reserves would come to work if well treated to and fro; and though the younger men would still, as in Europe, go far afield, their seniors would remain on the soil in sufficient numbers to meet the demand.

REV. J. S. MOFFAT, C.M.G.

There is a great outcry in the rural districts at the exodus of the coloured people to the centres of population and the impossibility of supplying their place. The mining industries have revolutionised everything. Until farmers will or can pay more, they will suffer from a chronic dearth of labour. At the mines themselves the demand for hands invariably exceeds the supply—hence the high wages. The railways—especially that to Rhodesia—are helping to remedy this; but as long as the mining undertakings continue to multiply in number and in extent, there is necessarily a difficulty. There are, of course, in the native territories such as Basutoland, the Transkei, Pondoland, and Zululand, many natives as yet uncivilised, whose wants are few and easily satisfied, and it will take time; but the proportion of workers to the general population is always on the increase, but not sufficiently fast to satisfy the employers.

MR. ALFRED MOSELY

There is great difficulty in getting sufficient native labour, especially for mining, and this is ever increasing: first, because the demand is daily increasing in consequence of the opening up of new properties; second, because hitherto, under the laws of the Transvaal, the natives have been very intemperate, resulting in half their time being spent in work, while the other half they are drunk, and so necessitating practically double the staff that should serve; and third, because of bad administration in that country, whereby the natives have had no protection by the Government whilst travelling, and are often robbed by the Boers and others.

MR. S. H. ROBERTS

Difficulty is found in procuring a supply of native labourers; the demand is greater than the supply. I am, however, inclined to think this difficulty has somewhat decreased; the reason, I believe, is that natives are beginning to realise the advantages gained by working; thus yearly more men leave their reserves in search of employment. I am further of opinion that, in the event of the Transvaal becoming a British or Crown colony, many thousands more natives will engage in mining occupations.

REV. BROWNLEE ROSS

With regard to farming occupations there is great difficulty. This is natural, as farmers object to paying more than 10s. per month, and the average rate of pay is much higher in other industries. Speaking generally, there is a diminishing difficulty. The spread of education and Christianity creates many new wants among the natives. Each native converted and educated adds £10 per annum to the trade of the country. This sends them out to labour.

REV. W. B. RUBUSANA

There is no dearth of native labour. The supply is vastly more than the demand, except where labour is driven away, as in the

instance of the Randt last year, where natives were debarred from going on account of the ill-treatment meted out to them by brutal and tyrannical officials and employers, who, from the misgovernment of the Transvaal, considered themselves licensed to oppress and rob the natives of their hard-earned wages at every opportunity and for every pretext.

Again, the colonial farmer often complains of a scarcity of labour in some districts, which can be explained by the fact that the enhanced wages received from the mining centres and public works generally, in comparison to the meagre farm wages, has the effect of drawing away labour from agriculture and the farm. Where the farm wages are higher, with improved accommodation and feeding, with facilities for the education of children so very much isolated by the nature of their work, there should be no scarcity of labour. The removal of grievances by the introduction of improved government in the Transvaal will pave the way for a larger influx of natives to the mines. The same applies to colonial labour under more sympathetic and favourable treatment than heretofore.

THE LATE BISHOP OF ST. JOHN'S

I do not consider there is any real difficulty in getting labour for any purpose. Some masters, farmers and others, have a bad repute among the servant class. I cannot say positively whether the difficulty is on the increase or not; I should judge that it must be rather less than in former years, owing to the rinderpest, which swept off about 90 per cent. of the natives' cattle, and natives are certainly not backward in working when they are in want of cattle. Bad crops among the native tribes fills the labour market for the season following the bad crop; but the dearth of cattle will cause thousands of young men to go and work for years to come.

MR. T. L. SCHREINER

There is a difficulty in obtaining a sufficient supply of native labour both for mining and agriculture. There is an increasing supply, but it does not keep pace with the increasing demand. When the Transvaal and Orange River Colony are settled under the British flag, the supply will increase, because the natives who have to travel through these territories will no longer fear to be molested and robbed to the extent to which they have been in the past; but whether the supply will keep pace with the increasing demand for labour, which will also take place, I cannot say.

MR. DONALD STRACHAN

There is difficulty in getting sufficient labour for farming operations, owing to higher wages obtainable in mining centres and in towns, and such work being preferable to them. This difficulty is increasing. There should be no difficulty in getting sufficient labour for mines, save that there is an objection to work underground, especially in coal-mines; but this could be met if overseers were more considerate.

MR. J. W. WEIR

Supply and demand are fairly balanced.

REV. CANON H. R. WOODROOFFE

With wholesome legislation *properly carried out* the natives will, in my opinion, provide a sufficiency of labour. No compulsory measures are needed. In a few years' time we shall probably find that the native labour market is overstocked. But personal ill-treatment, as was the case in the Orange Free State and the Transvaal, and the unlimited continual sale of brandy at the gold-mines, have interfered with the supply of native labour. As regards farm servants, farmers tell me that they can obtain as many as they require.

ANONYMOUS

. . . There is, I think, a diminishing supply of labour for agriculture, due to the fact that higher wages can be obtained at mines, on railways, at seaports, and in towns generally.

NATAL

REV. D. BRYANT

The disposition to work is rapidly increasing among the young male portion of the Kafir population. But, even so, it fails to keep pace with European industrial activity and consequent demand. The Johannesburg mines appropriate to themselves the great mass of labourers from Natal and Zululand, leaving the farms—though not so much the towns—in those countries deplorably deficient in servants. I am of opinion that it would be wise of the Natal Government to put some curtailment on this never-ending exodus of its own labour power into a (quondam) foreign state. Life in Johannesburg and on the mines is, as said, highly demoralising and physically deleterious, especially for the young. The prohibition of all native boys *under twenty* years of age going to work outside of Natal would be a wise measure—beneficial in many ways to the up-growing young native, profitable to Natal's own industries, and a much-needed relief to the farming community. . . .

Comparatively few natives are engaged on the farms, perhaps not 5,000 in all, whereas somewhere about 25,000 or more coolies must be so occupied. And this despite the fact that agricultural employment is that most naturally suited to a pastoral people, while mine labour is, without any doubt, eminently injurious to them physically, and town life a source of moral corruption from which but few who go there escape. . . .

MR. J. C. C. CHADWICK

The difficulty of procuring native labour in every branch of industry in Natal is increasing, the cause being the increased demand and the much higher wages obtainable at the great mining centres, particularly Johannesburg and Kimberley. . . .

MR. G. H. DAVIES

Yes; stationary, on the whole. The cause is the inherent incapacity of the negro and negroid races for regular labour.

MR. W. G. HAMILTON

I heard frequently of the difficulty of obtaining native labour, and had some experience of it myself during the war, when men were

required for telegraph construction works. The difficulty, especially with regard to domestic servants, appeared to be increasing. Before the war it was attributed to the opening up of the gold-mines in the Transvaal, where a high rate of wages was paid. Natives preferred going to Johannesburg, where they could earn money quickly, to working with easier labour and lower wages in Natal.

MR. W. NICOLSON

Great difficulty is experienced generally in obtaining native labour—*i.e.* labour on which the employer can rely at all times. Usually the native will only engage to work for a few months at a time, after which nothing will prevent him going to his home—for a rest. This difficulty in getting continuous labour led to the introduction of the Indian coolie into the colony.

This difficulty seems to be increasing, as many of the natives, having become the possessors of wagons and oxen, prefer to work on their own account, and they also employ many of their fellow-natives.

REV. G. JOHN PUGH

. . . The difficulty with us is increasing, and the reason may be found in the ease with which money may be earned on the gold-fields of the Transvaal.

MR. W. SPENCER WALTON

. . . I believe it is getting increasingly difficult to obtain native labour to meet the greatly increased demand.

BASUTOLAND

REV. A. CASALIS

There is no *labour question* in Basutoland. A good many thousand Basutos go to the gold and diamond fields every year. But they go of their own free will. There are no compulsory measures, and there could be none. Still, the Basutos have shown, during recent events, that their chiefs can, under certain circumstances, provide a good supply of native labour at the request of the Government. The chiefs have enough influence and power to oblige their people to go.

TRANSVAAL

MR. H. W. MILLER

Difficulty is undoubtedly experienced in procuring a sufficient supply of native labour for work in the mines of the Transvaal and the Free State, but the supply of labour for domestic purposes is more than ample. The supply of native labour for agricultural purposes has been diminishing in the Transvaal for some years past, and is due to several causes—the better wages prevailing in other industries, the fact that the average farmer (especially amongst the Boers) is a forgetful paymaster, and a preference amongst the natives to work for any other nationality than a Dutchman. In my opinion, the causes that lead to this state of things are several; but the chief impediments to a plentiful supply of native labour are the natives' inherent dislike to manual work, and the facilities afforded to them by the misguided kindness of European sympathisers to live without work. It is quite

certain that as long as the best and most fertile sections of country, South Africa affords, are set apart as locations for the native races, so long will there exist the difficulty of inducing the native to work, and then only for such commodities as he specially desires, and which cannot be acquired by remaining on his farm, or whatever location he may be domiciled upon. Another great source of trouble in the Boer Republics is the practice that prevails whereby natives are allowed to pay their taxes to Government in "kind" instead of "cash." The natural consequence is that the feldt-cornets (who are in most instances very much underpaid officials) allow the chiefs to hand over so many head of cattle in payment of their dues, which they dispose of at the best price they can obtain, the difference going into their own pockets after the requirements of the State are satisfied. If the natives were only allowed to pay their taxes in "cash," more would be compelled to seek outside employment, and thus a lot of touting for labour would be dispensed with. Indeed, it has been suggested (and the writer thinks very highly of the proposal) to allow a substantial rebate from the taxes of all natives who can show, to the satisfaction of the Labour Commissioner, they have been engaged in any form of *bona fide* employment for at least six months out of the year. Of course, it must not be forgotten that the rapid development of the mining industry, and of the numerous other enterprises more or less dependent on gold and diamond mining, is largely responsible for the inability to keep pace with the demand for labour in a country where progress generally is abnormally slow. The foregoing remarks only apply to native labour, there being always an ample supply of white men available for nearly all purposes.

THE BISHOP OF PRETORIA

There is very great difficulty in procuring a steady supply of native labour. It is likely to diminish under English rule, firmly and wisely established.

RHODESIA

REV. D. CARNEGIE AND OTHERS

The difficulty arises out of the deficiency of the native population in this country, which is totally insufficient to supply the increasing demand; besides, the natives for five months out of the year are largely occupied in agricultural work in their own gardens.

MR. HERBERT J. TAYLOR

Speaking generally, I consider that the condition of the natives in this country has, since 1896, improved in a manner little short of marvellous. . . . They have settled down on the immense reserves laid off for them by Government, and they bid fair to be a useful and law-abiding community. This, of course, means that they are well satisfied with white man's rule, and have accepted the new condition of affairs with a good grace.

Wages in Southern Rhodesia compare favourably with those paid in any other part of South Africa—that is to say, for unskilled labour in connection with mining operations. For skilled labour there is not a great difference between the wages of white and native workmen. There is considerable difficulty in obtaining sufficient labour for the

mines in this country, and it is one which will increase in proportion as the mines are developed. It is not owing to the fact that natives will not work, but that the whole available labour supply of the country is not sufficient to meet the demand. The Government have various schemes under consideration to ameliorate this state of affairs, and, there is little doubt, will be compelled to draft labour in from other territories.

"Compulsory measures" are absolutely forbidden, both by the Imperial Government and the Government of this country—that is to say, directly. Indirectly, an imposition, such as the hut tax, is put on the people, and thus, by creating a need for money, it follows that the necessity for earning money is also created. I believe, as time goes on, that the natives will need very little inducement to work, when once they have been educated to the idea that it is to their own best interests and welfare to do so.

MR. W. E. THOMAS

As a rule, there is greater difficulty in getting labour for mining work, in spite of higher wages, than for agricultural work; but the fact is noticeable that the more a native is educated (as a rule), the less he will work—the same (with a few exceptions) with those natives who profess to embrace Christianity. The fact is that the majority of them use the knowledge they gain in trying to assume a social equality with the whites and a superiority over their countrymen; and their sense of duty is generally so little developed that they are most unreliable—no longer living under the restraint of their own tribal laws and customs, not being bound by the social and moral laws of the white man, and further considering work a degradation, only to be endured when they are absolutely bound to work. But this I must remark that, even as with whites, where a native is really converted to Christianity and is really filled with the desire to live a Christ-like life, that native is earnest, honest, reliable, and assiduous in the discharge of his duties. The general rule remains—*viz.* that the more, beyond a certain point, the raw native has to do with the European, the less he will work, and the more unreliable and unsatisfactory he becomes—because he has lost his faith in what he held sacred and honourable, and has no faith in anything.

SUMMARISED REPLIES

The Rev. W. Arthur, Mr. J. N. Cock, the Titular Bishop of Justinianopolis, Mr. W. C. Scully, Mr. John Sutherland, Mr. R. Tillard, Mr. W. St. J. Turner, and the Rev. S. Aitcheson state that there is little or no difficulty in their respective districts in procuring natives for employment on farms.

QUESTION III.—*Is there any need for compulsory measures to induce the natives to work? In your view, will the labour question, if wholly left to the operation of the economic law of supply and demand, be gradually solved without the use of such measures?*

CAPE COLONY, ETC.

REV. E. J. BARRETT

At one time I should have expressed a strong opinion against the labour clause of the Glen Grey Act, but my return to the Transkei

has rather changed my view. I understand that the people of Fingoland, under Veldtman and others, find the Glen Grey Act suits them well, and the state of affairs in Pondoland makes me inclined to the opinion that, for a time, a little gentle pressure to make the young men go away to work might be useful; in the long run I have no doubt the law of supply and demand will equalise matters. I should now be in favour of the extension of the application of the Act to any part where the natives would agree to it.

MR. J. KNOX BOKWE

No need for *special* measures of a compulsory kind. In Cape Colony Christianity and civilisation are slowly drawing the people away from abject indolence. Contact with the white man, governmental taxation for quit-rent, huts, education or roads, as well as enlightened ways of living, the native finds can only be met by engaging in some kind of remunerating occupation. Live stock as means of exchange is being replaced by money currency. These agencies act indirectly to force the natives willingly to go to seek work; whereas a direct labour tax provided by Mr. Cecil Rhodes as a clause of the Glen Grey Act for compulsory reasons is resented as a way of legalising slavery to drive labour to the mines or elsewhere.

THE BISHOP-COADIUTOR OF CAPE TOWN

"To work," here, I presume, refers to "work for the white man"? It is such work that is desired by those who are most clamorous on the subject of the alleged idleness of the Bantu; they take no account, ordinarily, of the work that may be done by the Kafir in his own lands and in connection with his own homestead (which, in the case of Christian Kafirs, is considerable), but only of *work done for the white man*.

I do not believe that there is need for compulsory measures. If such measures are adopted, I should advocate their extension to lazy whites, a plan which would put a stop to the increase of "poor whites," as they are called. Further, if there is compulsion for natives, it seems to me unfair that such compulsion should be for the benefit of whites only; it should, I think, be compulsion to labour *per se*, not necessarily labour for the European. Compulsory labour by natives for Europeans must be most carefully safeguarded, by regulations as to rate of wages, supervision by competent and trustworthy inspectors, and by total prohibition of liquor.

But I repeat that I do not believe in the necessity of compulsory labour at all, even as a temporary and disciplinary measure. I believe that the difficulty of the labour question "*solvetur ambulando*," under the effect of the diffusion of Christianity, and through the operation of the laws of supply and demand.

MR. J. P. CUMMING

The labour market is satisfactory. It is not desirable to compel people of this district to go to work; they go willingly to whatever centre of labour there may be. It is best for the people to go independently of any labour agent, and when they procure work it rests with the person employing them as to whether they be contracted or not. . . .

REV. JOHN HARPER

There is no need for compulsory measures. If natives are fairly paid and well treated they are ready to seek work wherever it may be found.

REV. S. J. HELM

From my knowledge of the native character, which is considerable, I decidedly think that there is no more need for compulsory measures to make him work than there is for the same class among any other race. He does not love labour for its own sake, but will work readily if it is made worth his while, and therefore the problem will solve itself naturally. Our duty is to elevate the native and so enlarge his requirements that he will be obliged to work more continuously in order to meet such requirements.

MR. JOHN HEMMING

There is, in my opinion, no need for compulsory measures to induce the natives to work.

REV. R. HOWIESON

My idea is that the only compulsion the natives need is the same compulsion as is required by men in general—the compulsion of necessity. So long as they can satisfy their needs without working, they would rather sit and smoke than toil and sweat. But they are not alone in this, as we all well know. Change their circumstances, however, or give them a higher idea of life, and you will find among them very able and willing workers. Of course, do what we will, there will always be the few who will not work unless force is brought to bear upon them; but such men will never make good workmen, and will be of little use to any community with or without compulsion.

To the second part of the question I would answer, Yes! I fail to see what end could be served by compulsory labour, either in the settling of the labour question or in the making of men. I question if all the compulsion in the world will ever give even a native a taste for work, if naturally he has none; and certainly it will do nothing to inspire him either with self-respect or independence. It is tyrannical and demoralising, and most injurious in its tendency as regards the relations between masters and their servants.

MR. D. A. HUNTER

I think that, generally speaking, the spread of education and of industrial training will gradually solve the labour question. When a native gets a little education, his wants increase. To supply these he must have money; and to earn money he must work. Temporary measures may be required in certain districts to enforce work in order to prevent vagrancy; but as the native population increases, as it is rapidly doing, for example, in the Transkei, while the arable and grazing lands do not increase, it is becoming more and more necessary for the young men to leave their homes and go where work may be found.

One other view should be considered. Because of the demoralising influences, especially of the Rand, upon natives, missionaries are very reluctant to allow those who are under their influence to go there. If

the liquor laws in the Transvaal were honestly enforced, as we hope they may be after the war, the whole moral tone would be greatly raised, and there would not be the same strong objection to this sphere of work as exists at present.

MR. C. J. LEVEY

There is no need of compulsory measures to induce natives to work. In my judgment, the operation of economic laws will solve the labour question.

REV. G. D. MATHEWS

The proper plan of leading the natives to become workers is to *increase their wants*, when an internal necessity will compel them to work, just as it does with ourselves. . . .

MR. LEWIS L. MICHELL

It is not necessary to resort to direct compulsion to induce the natives to work, and the labour question will gradually be solved without such a measure. But it cannot be "wholly left to the economic law of supply and demand." It is a fallacy to think that natural law will achieve satisfactory results when hampered by bad statutes, or even by good statutes badly administered. The indirect compulsion of moderate taxation is legitimate enough, seeing what benefits the natives derive from our rule.

REV. J. S. MOFFAT, C.M.G.

Your third question seems to me to answer itself. There can be no *need* for an immoral thing, and compulsory labour is immoral. It may meet an immediate want or craving, but it upsets the order of nature. If you make labour compulsory you make it hateful to the person compelled, instead of a thing to be desired. You stamp it with a *curse*. The mining industries may be hampered for a time by want of labour, but things must find their level some day, even if meantime the mining magnates have to grind their teeth because they cannot double the stream of wealth pouring into their coffers.

MR. ALFRED MOSELY

The law of supply and demand will doubtless go a long way towards righting matters as to the labour question, especially with good administration, protection, and proper means employed to ensure the safety of the natives whilst journeying to and from their work. It must, however, be borne in mind that the native does not work willingly under any conditions.

MR. S. H. ROBERTS

I am not in favour of compulsory measures to induce the natives to work. I am inclined to think the labour question, if wholly left to the operation of the economic law of supply and demand, will gradually be solved without the use of any drastic measures.

Note—I do not consider the labour clause in the Glen Grey Act can be taken as forcing natives to work; it is rather one giving a premium (by exemption of hut tax) to those who are industrious.

There is no dearth of able-bodied men, the difficulty is to get them to work, and that continuously; but I believe, as they realise the benefit which accrues to the industrious man, the supply will increase.

REV. BROWNLEE ROSS

There is no such need. The need is rather to make it easy for natives to find work and get to labour centres.

REV. W. B. RUBUSANA

There has been a great deal of divided opinion on the question of compulsory labour consequent upon the labour clause inserted by the Right Hon. C. J. Rhodes, P.C., M.L.A., in his famous Glen Grey Bill. But apart from that isolated case, which has never been enforced, it is not necessary to discuss the question of compulsory labour, and the question might be left to the operation of the laws of fair treatment, which, on the part of the masters, will doubtless solve the difficulty, unless some peculiar conditions may arise to bring up the question in the future. On the other hand, employers are entitled to protection from bad servants, and the question of controlling the labourer by some scheme of registration, especially of domestic and general servants in towns, is one that will require the attention of our legislators. It is doubtful if registration will not be required as a protective influence against the numerous faults of servants and labourers in general in all departments of service or employment.

THE LATE BISHOP OF ST. JOHN'S

I do not think there is any need for compulsory measures to make the natives work. The law of supply and demand will always be sufficient. In my opinion, to judge from the past, the wages will be kept down from any excessive rise by the numbers of tribes which will be drawn into the labour market, which are almost unlimited.

MR. T. L. SCHREINER

Considering the inherent dislike of labour on the part of native men, who are accustomed to leave hard work over to the women, and the comparative ease with which they can earn at the mines within a few months what to them seems all the money they need, and considering, too, the evil effects in many directions of their indolence on the welfare of the country, I should say that there is need of some agency to stimulate them both to work for themselves and to go out to service.

MR. W. C. SCULLY

Emphatically *No*.

MR. DONALD STRACHAN

I think no compulsory measures are needed. The Natal authorities have power to call out natives to work on road repairing, but this does not act as well as voluntary labour.

I think the "labour question" will solve itself, as their (the natives') wants are increasing, and scope for their labour is limited.

MR. WILLIAM SUTTON

I think legislative measures which would compel natives to work would be beneficial to the natives themselves as well as the country generally, such as the Glen Grey Act.

MR. R. TILLARD

I consider there should be some system of enforced labour for men who cannot show that they have means of support. I do not imagine that the labour question, if wholly left to the operation of the economic law of supply and demand, will be solved so as to leave no labour question difficulty, as I think that here, as in other parts of the world, there will always be the labour difficulty. I consider, however, that matters have improved during the last few years. It must, however, be borne in mind that in most of the labour producing districts there has been a succession of short crops, and it is probable that a few years of plenty would seriously curtail the labour supply. What is wanted, according to my idea, is to instil into the minds of the natives that men who have little or no property should go out and work regularly until they get enough to live upon. At present it is too much the custom for young men to go out and earn just enough to tide over until the next crop comes in.

MR. W. ST. J. TURNER

The native, like the white man, should be obliged to do some work otherwise he gets into mischief.

MR. J. W. WEIR

There is absolutely no need for compulsory measures, to induce the native to work. The power and value of money, which are being appreciated more and more, increasing wants, and moderate taxation are ample stimulants.

NATAL

REV. S. AITCHESON

The only legitimate measure to compel or induce a person to work is that of necessity. This the Government of the country might do indirectly by inducing them to acquire civilized habits, which cannot be maintained without work. This would develop the country as well as the individual. This dual development is, I fear, for the most part neglected by the employer of labour.

REV. D. BRYANT

The natives here are naturally an indolent race. They have practically no requirements, save those for food, and which their women can very easily supply; hence no need to work. Physically they do not deteriorate on account of this life-long idleness; but their mental powers, lacking that whetting activity which labour necessitates, always remain the minds of over-grown children; and chiefly on this account, it would seem, we are justified in taking measures to induce them to work. Measures of *direct* compulsion would, I think, be neither just, nor desirable, nor necessary, unless, of course, the Government were able to offer some reasonable *quid*

pro quo as a salve or inducement, such, for instance, as was done, I believe, by the Glen Grey Act. But *indirect* legislation, of which the hut tax is an example, tending in its operation to make the natives seek money and work, is beneficial and desirable. An increase in measures of this description—dog tax, polygamy tax, etc.—would be welcome. I do not think, without measures of this kind urging him on to work, the native will ever, in any reasonable future, be able to help himself out of his inborn inclination to the *dolce far niente*.

MR. J. C. C. CHADWICK

. . . Natives as a rule will only work for some particular object or necessity. Say the sum of money required is £10; the native will work where he can soonest earn that sum, and then he will return to his kraal and remain idle until some other necessity impels him to go to work again. I am inclined to think that the true and best solution of the labour difficulty will be to legislate in the direction of increasing the natives' wants. As these increase, they will have to work more to supply those wants; but this is a subject which must be handled very delicately, as anything like a too sudden demand made upon them, though in an indirect manner, would probably lead to trouble. . . .

MR. G. H. DAVIES

Compulsory measures must be indirect, such as stricter registration to prevent desertions from service. The economic law of supply and demand will eventually solve the question, but it cannot affect the present difficulty, which is the cause of the introduction of the Indians. The latter now outnumber the Europeans; and their skill, frugality, untiring industry, and ingratiating manners threaten the means of livelihood of the Europeans in the smaller way of business, and will certainly force the indolent and careless Kafirs to struggle terribly some day for a bare subsistence in Natal. Compulsion would perhaps be kinder in practice than will be the law of supply and demand. We shield our children from that law, and all negroes are children mentally.

MR. W. SPENCER WALTON

I think the compulsory measures used or exercised by the chiefs to induce the natives to work *are* necessary. . . .

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

In answering this question I am thinking rather of the great area of labour supply in the Protectorate than of any demand for it there. The supply area, I know; the area of demand is beyond our borders.

Compulsory measures would be very difficult and dangerous in application in the present conditions of our natives. And they would defeat their own ends. What is wanted is an honest attempt to give the native a higher opinion of the dignity of labour; and compulsory measures would not only have the opposite effect on the native, but would gradually lower the status of the labour to which it applied even in the eyes of the white labourers. Secure just and equitable agreements between master and servant, make the servant sure of

getting his earnings, and by the establishment of simple technical classes for natives endeavour to give the people an interest in work, and compulsory measures will never be needed.

TRANSVAAL

MR. H. W. MILLER

To a certain extent I certainly think it is necessary to compel the natives to work, if by compulsion is included legislation that prevents the native from living in idleness, as, for instance, the suggestion contained in the foregoing paragraph.¹ What is required is to so rule the native that unless he obtains his living by honest work he is liable to be regarded as a vagabond, and not (as is now the case) as an interesting specimen of a race that, from motives of extreme sentimentality, are allowed to loaf through the world with white people assisting them to lead an idle and useless existence. It is probable that this important question, if left to automatically adjust itself in accordance with the law of supply and demand, may take altogether too long a time to suit the rapid progress that is now being made in this country with the various trades and manufactures requiring an ample supply of native labour, and for this reason, if for no other, it is necessary to adopt such measures that will at any rate attract, if not compel, the native to seek work. Under British rule it is, of course, waste of time to even discuss any measure of a compulsory character, as, no matter what good intentions the framers of such a measure may have been actuated with, the people of extreme negropholist tendencies would at once stigmatise it as slavery, and would raise a storm of indignation throughout the land. But there are many old colonists of pure British blood who are of the opinion that, especially with regard to native legislation, some of the statutes now prevailing in the Dutch Republics may be at any rate partially, if not wholly, adopted with advantage to the employer and without injustice to the employed. It would, of course, take up too much space to enumerate these points in detail here, but the recent Pass Law enacted in the Transvaal, which was framed by the mine managers in the South African Republic, may be cited as an illustration to support the foregoing contention.

THE BISHOP OF PRETORIA

I am disposed to think some compulsion necessary, or such steadily and regularly enforced taxation and to such amount as may compel labour to pay it, which comes very much to compulsion.

RHODESIA

REV. D. CARNEGIE AND OTHERS

We would suggest that every able-bodied man that cannot show a certificate of three months' work done for some employer, during one year, that an extra tax be imposed upon him.

MR. W. E. THOMAS

This is a very difficult question to answer. It appears as though a system of compulsion would be most satisfactory while natives are in

¹ See *supra*, p. 268-9.

a barbaric or semi-barbaric state—and, in fact, almost any state. But there are two alternatives open, and only two, to one who attempts to legislate on this matter, *viz.* :—

(1) He must either adopt the British idea of absolute freedom of the subject and equality of persons (which is more theoretical, after all, than practical, for there is worse slavery under the system than I ever saw amongst the Matabele, and greater poverty and misery than could possibly exist amongst the Matabele under their own regime);

(2) Or the colonial idea, that a native is not a white man's equal in social or political status, and therefore must be treated as a minor or ward or apprentice.

In both alternatives, of course, the native must be treated justly and fairly. Under No. 1 alternative the difficulty will certainly increase and labour become more difficult to obtain. Under No. 2 experience says the labour supply will be maintained with less friction, and better results to the native himself. . . .

QUESTION IV.—*Is it desirable, in your view, to make, as far as possible, contracts for native labour with the Chiefs, where the Chiefs' authority is still recognised by the tribe, or with agents or native contractors, or with individual natives?*

CAPE COLONY, ETC.

THE BISHOP-COADIUTOR OF CAPE TOWN

I should certainly make no contracts with agents of an irresponsible nature, or native contractors. Contracts might be with the chiefs, or with a Government agent, where there is a recognised labour bureau, or with individual natives.

REV. W. DOWER

The sooner the authority of chiefs ceases the better for all concerned. Contracts through agents often become necessary because of the difficulty of the native reaching the scene of his labours without them. The agent is often a kind of protector and spokesman for his company, and often exercises a salutary influence on the minds of his men, though the system is liable to abuse.

MR. G. E. DUGMORE

Where authority of chief is still recognised it becomes necessary to contract with them, as they could stop labourers going out. They generally send a responsible headman in charge, who is useful in managing his gang. Labour agents are also indispensable in getting together large gangs in the territories and seeing them conveyed to the companies for whom they are engaged; and when reputable agents are employed, the natives are fairly treated and looked after.

REV. JOHN HARPER

Where chiefs are in authority their consent will have to be secured to large bodies of their people going to labour centres for work.

But whether in the case of natives living under the authority of their own chiefs or otherwise, all contracts should be made through the medium of Government agents, men of character who know the language of the people.

MR. JOHN HEMMING

It is undesirable to make contracts for labour with the chiefs, whose authority is not recognised in the Cape Colony ; the same holds good with regard to agents or native contractors. The individual native is quite alive to his own interests, and would much rather be dealt with direct.

REV. R. HOWIESON

I think that to make a contract for native labour with a chief is just to encourage compulsory labour, which ought not to be encouraged. Those tribes which are still under the tyrannical powers of their chiefs are virtually in the position of slaves, and slavery in every shape or form must be stamped out. I see no reason why contracts for native labour should not be made with agents or native contractors, provided the labourers are willing agents and amply remunerated. To make a contract with an individual native, wherever that is possible, seems to me to be good. The great difficulty in this part is to get natives to enter into a contract, say, for a month. They say that they prefer to work by the day rather than by the month. But to make a contract with a native for his labour makes one more certain of having him regularly. There is a sense of justice and rightness, perhaps very rude, in all their hearts, and when one pledges himself for a time, his own inborn feelings tell him that he must try to make good his pledge. It seems to me, too, that if one can make a contract with a man for his labour, more work may be got out of him, for as he returns day after day to his work there is the chance that his interest in it will grow. Then I should say that such a training helps a native morally. It helps to strengthen his character by giving him more constancy, or stick-at-it-ness, if I may be allowed such an expression.

MR. D. A. HUNTER

It depends very much upon who the natives are. In the least civilised parts a contract between the local chief and a labour agent may be the only way of obtaining labour. So far as it concerns Cape Colony, Natal, the Orange Free State, and Transvaal, I should prefer direct contract with individual natives.

THE TITULAR BISHOP OF JUSTINIANOPOLIS

Always better with chiefs or agents.

MR. C. J. LEVEY

Contracts ought to be made with individuals ; but recognising the difficulties arising out of the fact that in many cases one of the contractors would be a totally ignorant person and entirely uneducated I would have instituted a native employment bureau under direct Government control.

REV. DR. G. D. MATHEWS

Make the pay for work attractive, and there is no need of dealing with either chiefs or contractors : labour will come of itself.

MR. LEWIS L. MICHELL

Where the tribal system is still in force it much facilitates matters to make labour contracts with chiefs or headmen, and there can be no objection to that course, as it maintains discipline and affords the labourers collectively protection against the injustice of employers. Contracts with labour agents have hitherto proved everywhere unsatisfactory.

REV. J. S. MOFFAT, C.M.G.

Upon the whole contracts with chiefs for a number of men work well, and there is no harm in them. The chiefs are a class whose power is fast diminishing as they and their people come in contact with the civilized communities. Their people can easily leave them if tyrannical. Meanwhile, such power as they still possess may be turned to advantage in the supply of orderly bands of men under a responsible deputy, who represents the chief. For their own sakes, as a rule, labour touts, or agents, will keep faith with the natives, and are of great use in conveying batches of men with the minimum of inconvenience and suffering to themselves. For instance, a native who wants to go, say, five hundred miles to work at a mine will fare much better on the road as one of a party under convoy of a labour agent than if he has to find his way alone and with no provision for the journey. It is desirable, however, that contracts should not be regarded as valid unless made in the presence of a responsible Government official.

MR. ALFRED MOSELY

If practicable, it is always better to deal with the chiefs; but their authority has for many years been waning, and the natives much prefer making their own contracts. One of the principal difficulties in the native labour question has been the agents and contractors, who are the lowest class of individuals on the face of the earth, and tend to lower both the standard of the native and his respect for the white man generally.

MR. S. H. ROBERTS

It is inadvisable that a hard and fast rule should be made; at times it may be necessary to contract with the chiefs, in other cases with the agents or individual natives. Many natives prefer going to Johannesburg under headmen.

REV. BROWNLEE ROSS

It would be a mistake to make the chiefs contractors: (*a*) because they would, as a rule, take every opportunity of oppressing the people and making undue profits; (*b*) the establishing of such a system would tend to increase the power of the chiefs, and this, as a rule, has been used against all true progress.

REV. W. B. RUBUSANA

It would be necessary to distinguish between those tribes who are still under the authority and are amenable to the will of the chiefs, and those who have a large measure of individual freedom consequent upon the breaking down of the chieftainships. For example, the Tshangaans, and all the natives in the Portuguese territory and the northern

districts of the Transvaal, also in Basutoland, Zululand, and Pondoland—the influence of the chiefs over their people is a factor that cannot be ignored in contracting natives for service. Again, in those cases where natives desire to be represented by the headman, as is frequently the case in the Colony, the headman cannot be ignored; and contracts entered into with such ought to be recognised, if legally entered into before the proper authorities. Such contracts are recognised, as well with headmen as with agents, by recent colonial enactments, which stipulate that agents or contractors must be guaranteed by the payment of licences before being allowed to act as such. Individual natives should be protected by written contracts in all cases where their services are required for a month and upward.

THE LATE BISHOP OF ST. JOHN'S

Contracts made previously to the arrival of the native at the scene of labour are of very doubtful value; perhaps where a tribe is being newly introduced to work at a distance from their home it may be of value as an encouragement to the raw native. But the system is liable to such abuse, whether the labour agent be a white man, an ordinary native headman, or a chief even, that it will not long hold the confidence of the people. They will soon learn that it is better to go untied to any previous contract and make their own bargain on the spot.

MR. T. L. SCHREINER

. . . There should be trustworthy Government labour agents, through whose hands all such transactions should pass. The Government, too, should arrange for the protection of the labourers on their travels to and from the mines, by erecting depots at convenient distances along the roads, where shelter and food could be secured. I hardly think that the plan of establishing a big location or reserve at no great distance from the centres of labour, where labourers might live with their families, will be found to answer in practice. I fancy the natives, at their close of service, would rather walk two or three hundred miles to get to their own tribe than walk fifteen or twenty miles to such a location. It might attract the partially civilised natives who are accustomed to live near white people; but the management of such a location would have to be very strict, and if it was strict, the people would not care to avail themselves of the right to live there. Still, I should like to see the attempt made.

MR. W. C. SCULLY

Contracts should be with individual natives. The other system enriches the chief at the expense of the labourers.

MR. DONALD STRACHAN

All contracts should be made as far as possible with individual natives, who would then obtain the full payment for their work, without any of their earnings being diverted for the payment of a "middleman."

REV. P. N. WAGGETT

I think that, whether chiefs or others are contracted with, there ought to be at Cape Town and other labouring centres an official Government overseer of native labour, to whom natives might have easy

access, and who should check the terms of all contracts. He would be in official communication with the magistrates in the native districts, and his office would be very valuable for *regulating* the flow of natives to town, and also preventing misunderstanding of terms of service, etc.

MR. J. W. WEIR

A chief has very little authority over the members of his tribe; in fact, no chief can enter into a contract for a member of his tribe unless with the full approval of the individual.

REV. CANON WOODROOFFE

. . . I strongly deprecate encouraging any chief or headman to contract for a supply of native labour. He will use the occasion for his own profit, and fleece his people. Nobody is so hard upon the black man as his brother black man; especially if the latter is a headman whose wits have been sharpened by a little so-called education. I speak from experience, with instances in my mind as I write. Moreover, the natives themselves do not like the contract system; they prefer to go to the mines and look for work for themselves. They know what they are about—in fact, they are adopting the word contract into their own language—and an attempt to force upon them a system of contract would be rightly resented by them.

NATAL

REV. D. BRYANT

Full liberty should be left to each native in regard to his choice of labour, and all contracts for work should be made direct with the individual alone.

Having regard, however, to the universally prevalent indolence among the natives, and the numberless and pressing needs of a newly founded colony, I think the Government is justified in the present system of periodically calling upon the chiefs to produce a certain number of men for employment, at a fair wage, on Government works. Such is regarded, in the eyes of native law, as a lawful prerogative of sovereignty.

MR. J. C. C. CHADWICK

In Natal it would not be desirable to make contracts with native chiefs—in fact, they could not make any contracts for labour which would be binding, as they have already to supply, from the locations, a certain proportion of their people for Government work on the roads, and those of their tribes who happen to be tenants of Europeans are under the complete control of the owners of the lands. . . . I do not think any advantage to the labour market would accrue from any legislation making it compulsory for natives to contract in any particular manner, or through any particular kind of agent.

MR. W. G. HAMILTON

I think it desirable that contracts for native labour should, as far as possible, be made through the chiefs, who are held responsible.

MR. W. NICOLSON

Practically it will be found impossible to obtain any large number of native labourers without the intervention of the chiefs or the headmen of the kraals.

REV. G. JOHN PUGH

. . . In my opinion, labour bureaux would be of considerable help in the matter of native labour, especially if under the supervision of the Government of the colony. . . .

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

It is not desirable to contract with the chiefs for supply of native labour. With a chief like Khama the labourer will get his hire in such circumstances ; but too often he would lose a proportion. But in any case it is wise to encourage the growth of a sense of individual responsibility and of individual freedom ; and it is distinctly unwise to increase the power of the native chiefs in any way. The temptation to deal with the chiefs must be very great on the part of mine authorities and other large employers of labour ; but it should be prohibited.

TRANSVAAL AND ORANGE RIVER COLONY

MISS P. M. DARTON

Contracts must be made with chiefs. . . . Their authority is real and is recognised. They probably cheat us and the native, but we must still look on them as rulers. . . .

MR. H. W. MILLER

In all those districts where the missionary has not penetrated and the rule of the chief is paramount under the old regime, it is in most cases preferable to make all contracts with the chiefs, as when this is done, it is customary to send with each gang of natives hired a petty chief, who acts as overseer and arbiter in most of the disputes liable to arise between master and man. This system is a good one, as it gives strange natives more courage to venture forth from home, and, moreover, the native mind being thoroughly imbued with respect for the dictum of his chief, his decision in all these matters is absolutely final, and much trouble is saved to the employer. In the case of Christian natives, it is better to make the contract with the individual. Generally speaking, the native agent, or "tout," as he is technically called, is an unmitigated fraud, and it has been the constant, but I regret to say so far unavailing, effort of the employers of labour to eradicate this class of men. An honest and impartial administration of the Pass Law by capable and conscientious officials, zealously watched over by the Government, will automatically dispense with these men, who have been a curse to the labour supply, and who have done more towards abnormally raising the rates of wages than any other circumstance in South Africa.

THE BISHOP OF PRETORIA

Under the present circumstances of many tribes I think it desirable to arrange with chiefs for a supply of labour. In some, contracts

might be made with individual natives. Agents and native contractors should be discouraged.

I fear large sums are paid by mining companies to agents for procuring labour, which might be better employed.

RHODESIA

REV. D. CARNEGIE AND OTHERS

We think the best way of obtaining native labour at present is through the chiefs or headmen, though this is liable to abuse on the part of the chiefs; and we protest against the natives not having the option of choosing their own work and employers.

MR. W. E. THOMAS

Where a chief's authority is still recognised, nothing should be done without his approval; but that being gained, it is immaterial whether one work exclusively through him, or through him and with the natives personally as well. If one does not obtain his sanction and approval, it is generally useless to attempt to do anything.

QUESTION V.—*Would it be desirable or prudent, in your opinion, to treat, in the case of natives, contracts of hiring or service, or of master and servant, as purely civil contracts, the breach of which should not be punishable by fine or imprisonment? If not, under what conditions would you treat breaches of such contracts as criminal offences?*

CAPE COLONY, ETC.

REV. W. ARTHUR

If contract is broken, let back money be forfeited.

MR. J. N. COCK

Certainly not.

REV. W. DOWER

Let the contract be with the individual native, written out officially, explained by the magistrate or a special officer, and registered. If the contract be broken, treat the case as under the colonial Masters and Servants Act.

MR. G. E. DUGMORE

The Masters and Servants Act in Cape Colony is, I think, fair to both parties, and as administered by colonial magistrates is not oppressive to natives. Natives keenly appreciate the justice ensured to them, and are quick to avail themselves of its provisions when necessary. If punishment by fine or imprisonment were abolished, I fail to see what remedy employers would have, or what other adequate punishment could be substituted, for breach of contract.

REV. JOHN HARPER

Breach of contract by a native, into which he has entered of his own free will, should be subject to the Law of Master and Servant now obtaining in the Colony, under which it is a criminal offence.

It would be advisable that there should be at large centres of labour a "Protector of Natives," whose duty would be to advise them, and see that justice was done them in such cases.

REV. R. HOWIESON

I don't think that the breach of contracts of hiring or service should be punishable by fine or imprisonment. I think that breach of contract on the part of native servants is often quite justifiable, considering the treatment they receive ; it may also be justifiable on the part of the master. When one considers that, on the one hand, there are masters who are harsh and arbitrary in their conduct to those in their employ, and that, on the other hand, there are among the natives some useless, good-for-nothing fellows, it seems to me that such a course as the following might be tried :—

When a native servant can prove that his master has subjected him to abusive and cruel treatment, the contract ought to be dissolved, the master paying the servant's wages up to date ; and when it can be proven that the servant is an idle, good-for-nothing fellow, that the contract be dissolved, the master paying the servant's wages up to date ; but if it can be proven that either has broken the contract without any proper cause, that the servant, if he is at fault, should forfeit his wages ; while the master, if the fault is proven against him, should be obliged to pay in full the servant's wages till the end of the contract.

MR. D. A. HUNTER

If a native is brought from a distance at the expense of the employer, and is under contract to work for a certain time, he ought to be compelled either to work his full time, or refund the cost of bringing him. To fail to do so, unless punished by fine or imprisonment, might lead to much abuse among the more cunning natives.

In other cases I should prefer a civil contract.

REV. P. L. HUNTER

Breach of contract should be punished by fine or otherwise. Imprisonment is no hardship, and little, if any, social disgrace attaches to it.

MR. LEWIS L. MICHELL

A native servant, no less than a white servant, should be bound to respect a contract of service, provided he satisfies the Court that he understood its purpose at the first. But a magistrate should always have discretionary power to cancel a contract of service.

REV. J. S. MOFFAT, C.M.G.

I think that breaches of contract should be punishable by fine or imprisonment where such contracts have been legally made in writing before a Government official, and where the employer can show that such breach of contract has been sufficiently serious to cause him loss or damage ; but I would have the same law applied to that terribly large and increasing class of people known in South Africa as poor whites,

REV. BROWNLEE ROSS

It might be well to have regular contractors—white—licensed and supervised by the Government. They might deposit a sum of money with the Government, from which losses to natives arising from breaches of contract might be made good.

REV. W. B. RUBUSANA

It would be desirable to treat all contracts of hiring or service in accordance with the laws that obtain and are recognised amongst Englishmen.

MR. T. L. SCHREINER

It would not be desirable to do away with the liability to fines and imprisonment for breach of contract of service on the part of native labourers ; but no flogging for such breaches should be allowed.

MR. JOHN SUTHERLAND

They must be punished by fine or imprisonment : they don't understand anything else ; nothing else will deter them from committing breaches of contract. . . .

MR. R. TILLARD

I consider that if a farmer cannot manage his servants without bringing up before a magistrate, he lacks one of the most essential qualifications of his business. It hardly ever does the servant any good, and I think impairs the authority of the master. At the same time, I am not prepared to go so far as to advocate the repeal of the Masters and Servants Acts.

REV. CANON WOODROOFFE

The relations between master and servant have been made the subject, in my opinion, of needless legislation. Not one native in a hundred knows any distinction between civil and criminal law. The natives keenly appreciate justice, and if that be obtained, they will not trouble about the kind of law enforced. I have never heard any complaint from natives about such a fault as neglect of duty being punishable by fine or imprisonment. To introduce civil law and to make it only available would be oppressive. It is costly. Supposing the plaintiff wins his case against the defendant, his servant. The latter vanishes into Kafirland. The plaintiff wins his case to lose his time and his money. Or the defendant may have a little property, four or five head of cattle ; the law consumes them. He would far sooner go to prison. I am not thoroughly acquainted with the colonial law on this subject ; all that, in my opinion, is required is that master and servant should be able to recover damages for ill-treatment or neglect of duty in the ordinary magistrate's court to an amount not exceeding £20, and that servants should be liable to either fine or imprisonment for ordinary offences. Acts of cruelty, wilful destruction of property, all cases of serious damage, would be classed under the former head.

NATAL

REV. D. BRYANT

It would certainly *not* be desirable or prudent to treat such contracts between master and native servant as purely civil contracts, unpunishable by fine or imprisonment. As before said, the natives are, truly speaking, but over-grown children, and in their rights and treatment should, in a comparative degree, be regarded as such, and no equality, even before the law, should be set up between master and servant. Briefly speaking, I should say the local law at present in operation works well and is fair to both parties.

MR. J. C. C. CHADWICK

It would be most undesirable and imprudent, in my opinion, "to treat, in the case of natives, contracts of hiring or service or of master and servant as purely civil contracts, the breach of which should not be punishable by fine or imprisonment." To do so would entirely destroy the authority of the master, and the native servant would take advantage of such a law to do exactly as he liked, and practically the master would have no remedy, as the class of natives who come out to work are, as a general rule, men who possess no personal property whatever, and could never in practice be made pecuniarily answerable to the master whom they had deserted, or whose interests they had neglected. The Native Masters and Servants Act 40, 1894, in force in this colony is a useful and fair law, and has worked smoothly and well. It is, in my opinion, one of the most useful Acts passed by our legislature since the adoption of responsible government in Natal.

MR. G. H. DAVIES

In the case of adult natives who are not under the jurisdiction of native law, service should be regarded as a civil contract; in all other cases it should be a criminal offence to contravene the Masters and Servants Law. The Kafir has little conscience in the matter of contract, and respects only direct compulsion. A proper system of indenture for minors is much needed in Natal; safeguards could easily be provided, and the young native would thereby receive the opportunity of learning his work thoroughly. He is far too free to slip back into kraal life and idleness.

MR. W. G. HAMILTON

Breach of contracts of hiring or service must, I think, be punished by fine or imprisonment, otherwise masters would have little hold on their servants. Natives readily tire of their employment and desire to go to their homes. They rarely stay in one service more than six months without returning to their kraals for a prolonged period. If they cannot obtain their master's consent to leave, they frequently run away.

REV. G. JOHN PUGH

It is in every case advisable for the natives to be taught to recognise the binding nature of a contract of service, and in the event of any breach of such contract they should receive such punishment as will

deter them from breaking it. A fine has been proved to be scarcely a deterrent in the case of natives of Natal, so that imprisonment is the only alternative.

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

To treat such contracts as purely civil contracts is simply impossible in the Protectorate. There is no grievance at present. Let the individual make his own contract *knowing what he is doing* (perhaps before the magistrate would be wise); and then let it be enforced against him according to present law.

TRANSVAAL AND ORANGE FREE STATE

MISS P. M. DARTON

The natives have been used in the kraals to very arbitrary laws. You must make them understand that law punishes a breach of law. . . .

MR. H. W. MILLER

It would, in my opinion, be altogether undesirable to treat these contracts as civil contracts, as the native mind has no conception of the code of honour, and that reasonable control which every employer must be allowed to possess would be entirely done away with. If the native knew that he could desert his employer without fear of punishment, it would be far better for employers to dispense with the use of native labour altogether, as the anxieties would then far outweigh the advantages accruing from the employment of natives. There need exist no fear of the abuse of punishment to natives for breaches of contract, provided the magistrates appointed by Government are men of just and humane temperament. It must not be forgotten, too, that punishments that to the European mind savour of brutality, to the native mind possess no more terror than a caning does to the average English schoolboy. The provisions of the Pass Law, previously referred to, deal amply with the question of punishment for breaches of contract between master and man, without being brutal or unjust.

THE BISHOP OF PRETORIA

Breaches of contract of hiring or service should not be treated as civil damage, but as criminal offences. Unless some excuse, such as cruelty in the master, were made out, double or treble service should be enforced for any failure, and in the last resort imprisonment with labour.

RHODESIA

MR. W. E. THOMAS

The native, being, as a rule, destitute of property (those who have any never, or scarcely ever, work), has no fear of civil proceedings; therefore it becomes necessary to make a breach of service a criminal offence punishable by fine, imprisonment, or lashes—the last is the only punishment a native cares a rap about, unless he is able to pay the fine. Imprisonment he rather likes, and I have heard a gaoler state that term-expired natives have come back to him and begged him to take them in again.

SUMMARISED REPLIES

The Rev. E. J. Barrett, Mr. C. J. Levey, the Rev. J. W. Stirling, and Mr. J. W. Weir are in favour of treating such contracts as purely civil contracts.

The Rev. T. Gamble, Mr. J. Hemming, Mr. W. C. Scully, and Mr. D. Strachan think the present Cape Colony Masters and Servants Law satisfactory.

The Rev. S. Aitcheson thinks the laws in operation sufficient.

Mr. W. Sutton, Mr. W. St. J. Turner, Mr. W. Nicolson, and an anonymous correspondent (Cape Colony) are not in favour of treating such contracts as purely civil contracts.

QUESTION VI.—*Does the Glen Grey Act work satisfactorily in the districts in which it is already in operation as regards its provisions as to: (A) native labour; (B) the ownership of land; (C) local government?*

CAPE COLONY, ETC.

MR. J. KNOX BOKWE

. . . The permanency of tenure was not secured by this Act to the individual. He may lose ownership if he did not show a certificate every year that three months in that year were spent under an European master out of the district; if he did not cultivate his land to the satisfaction of the resident magistrate; if convicted of a criminal offence and suffered a year's imprisonment. At death he could not will it to his heir; it reverted to the Government for disposal to a member of the family or another native. Then there was the clause of the labour tax, which, though at present a dead letter, is a clause on the Statute Book. There are, however, excellent clauses, in spirit, conveying to the natives local self-government by district or general councils, taxation for roads and educational purposes, preservation of forests, and the like, which the natives take kindly to. . . .

MR. G. E. DUGMORE

The Glen Grey Act is working admirably, and with a few minor alterations will be very acceptable to the more advanced natives. The "labour tax" clause is practically inoperative, and might with advantage, I think, be called by another name, say "educational tax." . . .

REV. JOHN HARPER

. . . I am in favour of the Act being extended to other districts, with the exception of the labour clause, which should be repealed.

REV. S. J. HELM

(A) . . . The general opinion (as far as I have able to ascertain) is that, with the exception of the labour clauses, it is acceptable to the natives, and works well in other respects.

(B) As far as the Act tended to compulsory labour I think it unfair, injurious, and unnecessary. . . . If the Act were somewhat modified I think it could be applied to most parts of this colony with advantage.

MR. C. J. LEVEY

(A) With regard to native labour, it proved and proves to what extent natives are willing to labour, but did not itself create a better supply of labour.

(B) *Ownership of land.* It might be amended in detail, but on the whole works satisfactorily.

(C) *Local government.* Works satisfactorily. I would apply the Act, in whole or in part, in such places and at such times as the necessity of such application was shown to exist, or where the native communities expressed a desire for its application.

MR. LEWIS L. MICHELL

I can only bear general testimony as to the Glen Grey Act. It was admittedly experimental, and may be capable of improvement, but it is difficult to resist the conviction that it enshrines several valuable principles. It has stimulated native labour, strengthened the title of aboriginal holders to the land they occupied, and given the natives an interest in local self-government which may be the faint dawn of a brighter day.

I would extend the operation of the Act to all districts where the native races largely preponderate.

REV. J. S. MOFFAT, C.M.G.

The Glen Grey Act has, so far as I can learn, worked well.

(A) It has not affected the labour supply materially, because in those districts to which it has been applied the number of men to whom the labour clauses were applicable proved to be quite small.

(B) It has worked well as to the ownership of land.

(C) The natives have shown a keen and growing appreciation of their duties and responsibilities in the matter of local government.

I have not personal knowledge of this, but take the testimony of those best qualified to know and to speak.

I think a gradual extension to other native territories is desirable, but not by the arbitrary setting aside of tribal rights or the authority of chiefs. These are parts of an order which is passing away fast enough, and we do more harm than good by violent interference with or hurrying of the process.

MR. ALFRED MOSELY

As far as I am aware the Glen Grey Act works admirably in all the three points named; but, like every Act, doubtless requires modification to suit special circumstances and cases. I am certainly in favour of extending it as far as practicable to all parts of South Africa.

MR. S. H. ROBERTS

Yes, very satisfactorily. I am in favour of extending the Act to all large native areas, but only with the consent of the residents of these reserves.

REV. BROWNLEE ROSS

The Act, considering the "rawness" of many of the natives who have come under it, has worked very well. It has been of great

benefit in regard to education. A gradual extending to the whole of South Africa would do much good. There are some minor points in which it might be improved in course of time.

REV. W. B. RUBUSANA

Without reference to the controversial question of compulsory labour on which we have already touched, it must be admitted, we think, that in its results the Glen Grey Act has given an impetus to native labour. The conferring of proprietary rights in individual tenure, as distinguished from the old system of tribal or communal tenure, has awakened in the native a sense of increased responsibility and a desire to improve his holdings in accordance with the most advanced methods of civilised tenure. This is noticeable in the erection of improved buildings, fencing, tree-planting, and a better and more careful cultivation of the soil. With an improved status, his interest in the erection of schools and churches, and the improvement of the social and family life will be quickened. A noticeable impetus which was foreign to him as an ordinary tribesman is apparent in all his actions. Thus, in the words of the present Under-Secretary for Native Affairs, whose influence and experience among natives is extensive, it must be admitted that in individual tenure lies the social evolution of the native. The ownership of land would bring in its train a multitude of other benefits, amongst which we might mention agricultural shows, and the improvement of cereals and stock generally, irrigation, and the erection of dams in a country which is cursed with recurring droughts, with the consummation of that most necessary institution called Local Government. It is not necessary to dilate upon the advantages of local government, which, in rendering increased taxation possible in such matters as water and road rates, house and other rentals, makes it possible for the community to improve the local aspects, and the value of the land, by conferring an increased spending power on the inhabitants. Witness the improvements in bridge-building and plantations in the Transkei since the Act was put in force there. It might be interesting to remark, as a further proof of the favour with which the Act has been received, that the late Premier, the Right Hon. Sir J. Gordon Sprigg, P.C., M.L.A., signified it as his intention, during his tenancy of office, to extend the provisions of the Act to the whole of the native territories. We are, therefore, in favour of this course being pursued gradually, as circumstances permit. Certain blemishes in the Act have already been investigated by a committee of the House during the last session of Parliament, and certain favourable amendments suggested.

THE LATE BISHOP OF ST. JOHN'S

This is a subject on which I enter with some diffidence, I mean that of the Glen Grey Act.

(A) As a means of obtaining native labour it is almost a dead letter. The carrying out of that clause in the Act is left to the discretion of the magistrate of the district entirely, and so is deprived of its sting. I was one of those who opposed this clause at the time it was before the Legislature, and, indeed, if carried out in the letter, it might easily have been a means of oppression, for it savours of a sort of slavery. It is whispered that the clause was put in as a sop to the farmers to get the Act through, as any idea of fixity of

tenure of land or local self-government for the native finds little favour with most colonial farmers.

(B) As to the ownership of land, we can hardly tell yet how this will work.

I think the legal title to the arable land and the homestead must be an excellent thing; if only it does away with much of the power of the headman (as distinguished from the chief) it will be a good thing. It will give an interest to the native in his holding, encourage him to improve it, and improve his methods of cultivation, *thus binding him to the soil*; and it would seem that the looseness of this bond, both to the Dutch farmer and the native clansman, has been one of the evils we have had to deal with. When men feel that there is plenty of ground to be had if we inspan our wagon and "trekk," or, in the case of the native, if we tie our household goods together, put them on the heads of the women, drive our cattle and goats in front of us in the evening dusk, and go off to the neighbouring tribe, there must be a sad want of that attachment to the "hearths and the altars" which goes so long a way in building up the love of the Fatherland which marks the civilised man.

There is, of course, a danger that the holdings may fall into the hands of the white men, if the law allows them to be pledged or mortgaged, and no doubt this would happen. I do not, however, dread this very much; the native small farmer is the thriftiest man I ever met, and, when once the idea of owning land has caught hold of him, he would be more likely to buy than to sell. The danger lies in his borrowing money at a high rate of interest, and the seizure of the land in payment, if this is allowed, as it will probably be in time; but then experience will teach him the danger of this. There is no doubt of the native's ability to save, if he has an object to save for. Witness the way they are recovering from the effects of the rinderpest.

(C) The local government part of the scheme works very well. The council works well with the magistrates, who guide it with tact and prudence, and the headmen are sufficiently well in hand to give in to their recommendations.

I think that the Act should be extended gradually and with caution throughout the native tribes, as they become able to receive it. The raw natives are, of course, not prepared for it. Christianity and education pave the way for its reception.

MR. T. L. SCHREINER

... I am not in favour of extending the provisions of the Glen Grey Act in whole to all South Africa. I think that the principle of the labour tax might with advantage be so extended, wherever practicable; but I do not think that the tribes living under their own chiefs are ready for the application of the individual tenure of land system. For such large tracts of country should be reserved where they may be justly, kindly, and yet firmly ruled under Imperial rather than Colonial supervision, and in which they may continue to occupy and cultivate the land on tribal tenure, as long as that system continues to protect the interests and welfare of both natives and Europeans. But there are thousands of natives within the borders of the different European states and colonies who are not under their own chiefs, and in whose case the principles of the Glen Grey Act might be applied with advantage.

MR. W. C. SCULLY

The Glen Grey Act works well on the whole. I was magistrate of the largest district to which it has been applied in the native territories for five years, so can speak from experience. It should be gradually extended to all the districts comprising the native territories. I could suggest amendments which I think highly advisable, but fear to trench on politics.

MR. DONALD STRACHAN

The Glen Grey Act works satisfactorily. I am in favour of the Act in its modified form as in force in the present districts. Should be extended to the whole of South Africa.

MR. JOHN SUTHERLAND

Acts splendidly. The Glen Grey Act is the best ever introduced. It benefits the natives themselves, no idlers or loafers being allowed, guarantees safety from all combinations for seditious purposes. They are ruled by their own councils, under the supervision of a British magistrate. Ought to be extended wherever there is a field for its application.

CANON H. R. WOODROOFFE

The Glen Grey Act is in force, though not as yet to its full extent, in five districts with which I am acquainted. These districts contain a population numbering about 120,000. The Act has proved a decided success, and I am of opinion that the great majority of those now living under it would be loth to be exempted from it. The provision of the Act which makes a small amount of labour compulsory has aroused criticism. I dislike it myself, not because it may be oppressive, but because it is a piece of unscientific legislation. It transgresses the proper bounds of legislation and interferes with liberty. But after many inquiries I have been unable to find that it has brought about a single act of oppression. It is almost inoperative. Many of the older natives approve of it, and say that it is just what was wanted; the young men will now be compelled to work. For myself, I would that it were repealed.

As yet the Act has not been in force long enough for a judgment to be formed as to the way in which it will affect the ownership of land. I do not feel fully satisfied on this matter. I am firmly convinced that no legislation ought to be sanctioned which does not secure in perpetuity to natives the land now held by natives. Whether this be done individually or tribally is of little moment. Land confiscated for rebellion ought not to be allotted to white men, but to loyal natives. And it ought to be impossible for land held by title under the Glen Grey Act to be alienated except to natives.

Local government thrives under the Glen Grey Act. Education is promoted, roads are made and repaired, owners of sheep are provided with facilities for dipping their stock for the cure and prevention of scab, and other advantages may be noted.

And the Act when in full working will probably either remove or diminish one great abuse, the power now possessed by headmen. These gentry are no great favourites of mine: I have seen too much

of their misrule. Of course, there are many good men among them ; but sad experience forbids me to trust a headman unless I know him.

The Glen Grey Act is not suited to the utterly raw native, and caution should be exercised in extending it. My knowledge does not comprise the northern districts, and I hazard no opinion about extending the Act to them.

NATAL

MR. W. SPENCER WALTON

A friend who knows the working of the Glen Grey Act as well as anyone, writes : "The Glen Grey Act is working exceedingly well. The natives in these districts where the Act is operative elect their own members of their divisional council, where important questions are discussed with earnest intelligence, quite an example that may well be followed by similar boards in European communities."

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

My knowledge of the Glen Grey Act is merely that of any interested outsider. An attempt to apply it to the Protectorate would probably mean armed rebellion ; but this must not be taken as criticism of the Act in its present sphere of operation. Circumstances are very different.

SUMMARISED REPLIES

The Rev. W. Arthur, Rev. W. Dower, and another correspondent express a general opinion adverse to the Act.

The Right Rev. H. Mac Sherry, Bishop of Justinianopolis, expresses a decided opinion in favour of the Act. The Rev. J. W. Stirling is in favour of the local government clauses. Mr. J. W. Weir considers the act "admirable" with exception of labour clauses, but might be modified and improved.

QUESTION VII.—*Are you in favour of the maintenance of the Pass System for natives? Does it lead to any, and, if so, to what abuses?*

CAPE COLONY, ETC.

REV. E. J. BARRETT

The Pass System has been so long in use that some inconvenience would arise perhaps if it were suddenly done away with. Some people regard it as a protection to a good native and only inconvenient to a bad one, but I should say it is too cumbersome a device to live very long. If it survives for any length of time, let a pass be required for any class of people known to be the victims of a temptation to steal.

MR. J. KNOX BOKWE

The *Pass Laws* were at one time very stringently observed, and, in consequence, rather harassing to native travellers. A clause in the pass says, "To report to authorities on main road," or something to

that effect. This was often represented as presenting your pass at every magistracy *en route* for endorsement, and as such causing needless delay and hardship to the carrier, whose limited days granted at the office of origin did not calculate on such delays of, sometimes, several days, according to the pressure of work to, or even pleasure of, the officer in charge of the pass department in the roadside magistracy. With the introduction of railways into the country the stringency is abating, and interference with native travellers not so frequent, though passes are carried as a safeguard. There is an Act of Parliament exempting natives who are on the voters' roll from carrying a pass, unless removing live stock from one district to another. This, too, tones down the stringency formerly observed, and at times carried to excess.

MR. J. N. COCK

No.

MR. J. P. CUMMING

I am in favour of the Pass Law being maintained.

REV. W. DOWER

If you mean the republican Pass System which requires that every man of colour must carry on his person official evidence that he is some white man's servant, then I say no. If you mean the colonial Pass System that a native man removing stock to another district must have a pass descriptive of the man and the stock, then yes. The Pass System of the Republics has, for intelligent and educated native men, all the bitterness and indignity of slavery.

MR. G. E. DUGMORE

Natives moving with stock should carry a pass, but beyond this I do not think it necessary.

REV. JOHN HARPER

The question of the Pass System for natives is a very involved one. In certain districts where the natives have attained to some degree of civilisation and education a pass might be dispensed with, except when removing cattle; but in districts where the natives are yet mostly in a heathen state a Pass System is necessary in the interests of both natives and Europeans.

Occasional abuses of the "pass" occur on the part of both whites and natives. Natives will sometimes forge a pass, and white men have been known to give false passes to natives to facilitate their own evil designs.

REV. S. J. HELM

If the Pass System had not been in operation I should be opposed to its introduction: to abolish it now might be dangerous; but it ought to be gradually relaxed. I cannot say that I know of any instances where it has been abused; but it must be very humiliating and irritating to a cultured native to be obliged to carry a pass, while any rogue of European or Hottentot extraction may freely roam about the country.

MR. JOHN HEMMING

The maintenance of the Pass System is desirable in the case of natives ; it is a protection to the deserving native. I do not know of cases in which it is abused. It has, however, almost fallen into disuse here.

MR. D. A. HUNTER

Yes, generally. I would, however, have some system whereby an educated native of respectable character may graduate into exemption from native law, and receive a certificate to that effect from the Secretary of Native Affairs.

MR. C. J. LEVEY

The Pass System is practically inoperative, but it is well that such an instrument as the Pass Laws should be in the hands of the magistrates and other properly appointed officials. With regard to passes for natives travelling with stock, I would approve the continuance of such provision because : (a) white men may be compelled by statute law to provide themselves with similar passes under similar conditions ; (b) the difficulties of identification among the natives are greater than among Europeans ; (c) owing to the extent of the native population, and other circumstances, the disposal of stolen property is so easy. Any abuses that may arise are not of such nature or extent as to outweigh the patent advantages.

REV. G. D. MATHEWS

There may be localities and conditions in which as yet and for the present a Pass System is desirable, but the sooner it can be dispensed with the better.

MR. LEWIS L. MICHELL

The Pass System is of essential service as a registration agency, and inflicts few hardships where carried out with discretion ; but the exemption of coloured persons of superior standing, though necessary, is difficult to provide for. In the Transvaal Republic the Pass Law became an instrument of oppression and extortion to an extraordinary extent.

REV. J. S. MOFFAT, C.M.G.

I do not believe in the Pass System. It does no good, it is an invidious badge of subjection, and it bears very hardly on individuals. I believe in the Cattle Removals Act, according to which any person driving loose stock, horses, cattle, sheep, or goats, may be called upon to produce a certificate stating the number, whence, and whither. This has to be signed by a competent authority, and applies equally to black or white.

MR. ALFRED MOSELY

I am in favour of maintaining the Pass System for natives—I mean under the British Government, and properly administered, not the farce that the Transvaal Government have had, which has only been a means of sucking money from the native and his employer without giving anything in return.

MR. S. H. ROBERTS

No; but I am in favour of the "Cattle Removals Act," which necessitates a native carrying a pass when driving live stock. I am not aware that this Act has led to any abuses.

REV. BROWNLEE ROSS

I cannot speak with much knowledge of facts. In border and farming districts the system may be of considerable value.

REV. W. B. RUBUSANA

The Pass Act was originally intended for the protection of our frontiers from the encroachments of marauding bands of roving Kafirs, bent on the raiding of farmer's stock. We are afraid, however, that the Colonial Government has not allowed, in the continued application of this Act, for those changes or modifications in its enforcement which might be suggested by the evolution of time, and the changes consequent on the development of the people, and the altered conditions brought about by the effects of education and civilisation. For example, the raw red Kafir, who aforetime preponderated, has gradually been superseded by a more intelligent and law-abiding citizen; and it is a question whether the hardships inflicted upon the latter by the continuance of the old system, with its restrictive and onerous conditions, can any longer be justified or supported on the grounds of reason or common sense. The question is rendered more difficult by the fact of the anomaly created by the exemption—from the provisions and penalties of the Act—of Hottentots, coloured people, Indians, Malays, and other alien races, who form a large social class in South Africa.

Whilst it might be defended in the case of natives travelling with stock from place to place in the same manner as the Scab Act is enforced on all classes without exception, it would strike one as savouring of *class legislation* to restrict its application to natives only in cases where no stock is removed, more especially when we consider that free locomotion on the Queen's highways is a privilege granted to all. For be it remembered that additional disabilities are imposed on natives entering town by the application of a further check in the form of the "Haarhoff Act," with its curfew bell and fresh pass regulations. Under this latter Act even women are not exempted. This forms an exceptional and extremely aggravating grievance. This, like the labour question, demands thorough investigation.

With reference to the Pass Act, I wish to state that whilst we appreciate Act 39 of 1887, which exempts native registered voters from the operation of certain disqualifying Acts of Parliament, we cannot but record our strongest protest against the imposition of onerous and restrictive disabilities on good, respectable Christian men and women, who, from their inability to pass the educational test required under the present Colonial Franchise Act, are debarred from participating in its advantages, and are thereby forced to carry passes when travelling, and are not allowed to enter certain towns between the hours of 8 p.m. and 5 a.m., unless they have a pass. These harassing and oppressive measures will drive natives to desperation, and will be the cause of much unrest and disturbance in this country.

THE LATE BISHOP OF ST. JOHN'S

The Pass System is not wholly bad ; it protects the native when removing his stock from one district to another, and formerly it was a real and much coveted protection to one passing through independent native territories. It is some protection to the farmer (European) against thieves.

It is an unnecessary mark of colour to the educated native, and especially to the native minister of religion.

More facilities might, I think, well be given for obtaining passes.

MR. T. L. SCHREINER

I think the maintenance of the Pass System for natives a necessity, but its provisions should not be applied to any persons entitled to the franchise, or to civilised black or coloured people who live like Europeans, who are entitled to the same treatment as white people. The abuses of the Pass System spring from its faulty administration. It ought to be administered by men who take a kindly interest in the natives, and should be a protection for them rather than a means of oppression. No flogging for contravention of the Pass Laws should be allowed.

MR. W. C. SCULLY

Certainly not. The Pass System simply gives opportunities for worrying the natives and leads to no practical good ; thieves can always evade it.

MR. DONALD STRACHAN

I am in favour of a system of free passes, but every facility should be given to a native to obtain this pass without difficulty or delay. There are many instances in which the obtaining of a pass under the present system causes great hardship and suffering which might easily be prevented.

MR. JOHN SUTHERLAND

Most certainly continue : leads to no abuses ; without it there would be stealing in all directions and the *country uninhabitable by whites*. It is a protection to natives themselves, who feel protected when travelling in search of employment on the roads indicated, and when moving their stock always described on the pass.

MR. WILLIAM SUTTON

Yes ! It no doubt leads to some abuses, but they will all be remedied in time. I speak of the Transvaal Pass System. It should not be applied too indiscriminately ; civilised coloured people should be free from it. The Pass Law in this country, Cape Colony, is satisfactory and necessary.

MR. R. TILLARD

I am in favour of the Pass System when natives remove from one district to another. I think there is reason to believe that it occasionally leads to some abuses, such as J.P.'s and field-cornets charging for passes, but no case has actually come to my knowledge.

MR. W. ST. J. TURNER

The Pass System in the Colony is a good one and prevents vagabondage.

MR. J. W. WEIR

The Pass System is necessary, though irksome to the educated and Christianised native.

ANONYMOUS

I am not in favour of the Pass System for natives; would prefer to depend upon police control to ensure the detection of crime. With the spread of education among the natives, forgeries could easily be effected and would often be resorted to for the protection of stock thieves.

NATAL

REV. S. AITCHESON

Passes should be free or nominal, and there should be greater facilities for obtaining them locally.

REV. D. BRYANT

A Pass System is exceedingly desirable and necessary in the management of our natives, and especially as regards masters and servants, landlords and tenants, and the like. The natives, as a race, are yet very far from being capable of entrustment with unrestricted liberty and freedom of travel. The Pass System does lead to abuses; but these are not to be compared with its immense benefits.

MR. J. C. C. CHADWICK

I am in favour of the maintenance of the Pass System, and I would extend this system by making it obligatory for all natives who leave a magisterial division, except those actually in service at the time, to provide themselves with passes which should contain their full names and addresses. And I should provide a penalty for anyone engaging any such native without first seeing his pass. These passes should be signed by the magistrate of the division, whose duty it should be to see that no false information was supplied in such pass. A small fee should be charged for each pass, and the native to whom it was granted should be required to return it to the magistrate on his return to the division.

MR. G. H. DAVIES

Yes. No abuses whatever. I have often acted as a pass officer in Zululand.

REV. JOHN FERNIE

I don't think the Pass System is much hardship. In one respect it even needs invigorating. Natives go to Johannesburg, where they contract syphilis, etc., which on their return they communicate to others. Some time since an M.L.A. told me that in large districts the natives are rotten with it.

MR. W. G. HAMILTON

I consider that a Pass System is necessary. Effective control over the natives is essential for the safety of the white population, seeing that the former outnumber the latter by at least 12 to 1. . . . No abuse of the system came to my notice.

MR. W. NICOLSON

I am in favour of the maintenance of the Pass System for natives : nor do I see what abuses it leads to. It acts as a preventative to crime, and where a native has committed a misdemeanour, may lead to his identification.

REV. G. J. PUGH

The Pass System has worked satisfactorily in Natal, and is a preventative against crime. The natives themselves appreciate it, as it enables them to travel without fear of molestation. I know of no abuses to which it leads.

MR. W. SPENCER WALTON

I consider this system necessary. It keeps our magistrates and those under them in touch with the natives, and expresses to the native mind the need of obedience to the powers that be.

TRANSVAAL AND ORANGE RIVER COLONY

MISS P. M. DARTON

Certainly. The Dutch carry out the system in an arbitrary way, but it would never do to be without it. It is very simple. Every Kafir must have a pass; any policeman can stop a Kafir at any time and ask for his pass. If it were not so, towns might at any moment be raided by "raw natives." If you engage a servant, you ask for his pass. If he steals, you take it away. If you want to send him out in the evening, you just write a pass. It leads to little if any abuse, except some bad native and Dutch policeman take natives up, just for the fines ; but on the whole it is safe and necessary.

MR. H. W. MILLER

I am most emphatically an advocate of the retention of the Pass Law. As at present administered in the Transvaal its operation can hardly be termed successful ; but as this is entirely due to the incapacity and corruption of the officials appointed to carry its provisions into effect, it does not follow that the Act itself is not an efficient instrument. When this law is properly administered, there is no doubt that the employer of native labour will be relieved from many, if not all, of the worries at present incidental to the employ of natives in any capacity.

THE BISHOP OF PRETORIA

A Pass System for natives is a necessity for their due control and government. Abuses have occurred through lawless Boers carrying out a system of fraud and blackmail on travelling natives, and these should be severely punished by imprisonment and labour.

But in general the white employers suffer from the difficulty of enforcing penalties on deserting native servants.

AN ANONYMOUS CORRESPONDENT

The Transvaal "Pass Law" would work well if the Uitlander population were not so ignorant and careless: they take niggers without passes, and so nullify all the good the law intends; one mine will accept runaways from another without passes—nay, it is hinted they even bribe men to desert. The law ran like this: Every native travelling must have a "travelling pass" from magistrate of district where he resides. When he reaches Johannesburg he goes to pass office, and gets a pass allowing him three days to look for work. As boys are always in demand, it is ample time, and if a boy cannot find work in three days, he is either a drunkard, loafer, or thief. When he gets work he is provided with a monthly pass, which he must produce when demanded, and a district pass, which the employer keeps. When a boy is dismissed, the date and reason, pay given, and kind of work, are filled in by employer, and the boy takes the pass and is free to look for work again. To retain a district pass or fail to report desertion of nigger is punishable with a fine. If the boy, after his three days, cannot find work, the Government put him mending roads, or send him back where came from.

You see, in such a country where in parts you have ten niggers to every one white man, and the white scattered on lonely farms often many miles apart (seldom less than three), it is impossible to have vagrant savages wandering about without restraint. . . .

RHODESIA

REV. D. CARNEGIE AND OTHERS

We approve of the Pass System as existent in this country at the present time.

MR. W. E. THOMAS

Where the white population is so far in the minority, and is thus always in danger of being killed out by the natives, it appears to me to be very necessary that a Pass Law should be enforced, as some check on the native. I do not think that the system lends itself to any very great abuse, and in any case such abuses can be provided against by legislation.

QUESTION VIII.—*Is legislation, in your view, needed to secure to the natives land requisite for their maintenance and prosperity? Are you in favour of maintaining, extending, or reducing the system of reserves or locations in which the communal tenure of land prevails, or of adopting measures to create a class of native freeholders or small proprietors?*

CAPE COLONY, ETC.

REV. E. J. BARRETT

. . . I suspect that the true solution lies in some arrangement by which a native might buy land on fairly favourable terms; he would then value it and probably do something to improve it. The less energetic portions of the community, living on in the old way, and suffering from the unavoidable crowding, might come to see that it was worth while to make the effort and secure land for themselves; but it would take a long time.

REV. W. DOWER

Unfortunately there is little chance of securing extended locations, because the land, especially in Cape Colony, is already alienated. The chief concern should be to protect and retain for their use what remains. In some instances, as, for instance, among the Fingoes around Blythswood, they might safely be entrusted with personal title made for a few years inalienable. But for such a people as the Pondos of Pondoland it would be folly to do away with communal tenure among them for a good many years to come.

REV. S. J. HELM

I am not clear in my own mind whether the system of communal tenure or freehold is preferable as regards natives, so would rather not give any opinion on the matter. But to my mind there can be no question that it would be greatly to the advantage and progress of the aborigines, and also to the cheapening of food in the Colony, if in some way land could be secured to natives, whereby large tracts of land which now lie idle would be cultivated and become productive.

MR. JOHN HEMMING

In the Cape Colony there is no need for legislation to secure to natives land requisite for their maintenance and prosperity: any native who has the means may obtain land on the same terms as Europeans, no difference is made. I am in favour of encouraging natives in the acquisition of land for themselves. . . .

REV. R. HOWIESON

Yes! Not only would it be in the interest of the natives themselves if there were fewer locations and more native freeholders, but also in the interest of the country at large. The people on our locations are the most ignorant, the most indifferent, the most thriftless, and altogether the most worthless class we have. And I doubt not but that this is the case all over, whether the location is on a farm or in connection with a town or village. The location natives never seem to prosper or to rise to the same height as others. Nor is this because they have not the same opportunities, for some of our location natives are in constant employment. I cannot explain it, except on the ground of their dependence. The location native is so dependent on the farmer or on the town or village board official that in some matters he is not allowed to think for himself, even if he desires to do so. His political liberty, for instance, is greatly interfered with. The "boss," or official, pulls the string, and the native has to move like a figure on a board, or shift. Give such people their own fixed property, and you no longer have stupid, cringing, dependent hangers-on, but free and independent men and women. Nothing, I believe, will give the native such a personal interest in the political and municipal life of the land in which he lives as to create him a freeholder or proprietor.

MR. D. A. HUNTER

I am strongly in favour of gradually abolishing the system of communal tenure of land, and substituting a system whereby individual natives may become freeholders of small farms. I think

it would be a great strength to South Africa if a native peasantry were to grow up owning their own small farms. It would give them a stake in the country, something to lose in case of disloyalty. It would be something for the lads and young men to work for, now that among those who are Christians the lobola (purchase of wives by cattle) is abolished. They would hire themselves out, in order to earn what would be required to buy a small holding of their own. The girls would also go out to service, and would have a home to come back to. It should be compulsory that where a native man buys a farm, he must erect on it, within a given time, a rectangular house with at least three rooms properly partitioned from each other, with at least one window in each not less than two feet by two feet, and made to open. Until natives cease to live *en famille* in the one round hut without any partition in it, you cannot expect them to rise much morally.

The native reserves, such as Basutoland, Pondoland, and the Transkeian territories, should probably be maintained as they are at present—*i.e.* exclusively for natives; but I should like to see there, also, a system whereby individual natives may buy from the tribe freeholds. These freeholds they ought not to be allowed to part with, except under licence from the Secretary of Native Affairs.

MR. C. J. LEVEY

So far as I know, there is no general need for any such legislation. There may be districts in which the provisions of the Glen Grey Act, *re* occupation of land, might be adopted with advantage. I would not favour an extension of the system of reserves or locations. On the other hand, the evils of a sudden reduction would be great and attended with enormous difficulties. I would approve any measures that would lead to individual proprietorship—that is to say, I would create opportunity in other districts than where such opportunities now exist.

REV. G. D. MATHEWS

The sooner we can secure individual ownership of land the better for the native, but restrict his power of sale.

REV. J. S. MOFFAT, C.M.G.

To talk of legislation in this case is futile. Nothing is easier than to get a Confiscation Bill through Parliament in the Cape Colony, as, for instance, in the Langeberg and Phokwane reserves three or four years ago; and it seems just as easy to get the assent of the Governor. I am not in favour of extending the system of communal reserves or locations; I believe in their gradual extinction, where that is compatible with justice, and that is just the end that is sought in the Glen Grey Act.

MR. ALFRED MOSELY

I am in favour of extending legislation that would facilitate the acquirement of land privately by the natives, and for increasing the reserves for various tribes. In my opinion, only good can come of encouraging the native to become industrious and to till the soil.

REV. BROWNLEE ROSS

I am very strongly of opinion that all communal tenure is now bad. The headman,¹ chief, or board that has control of the land as a rule acts in a most unjust manner in giving out garden land to new arrivals, the sons of old residents, and in taking and redistributing the land of men who may have left the location for a time to seek work. Then progressive and energetic men are much kept back by useless neighbours. In fact, the rate of progress of the location tends strongly to become the rate of its slowest members.

Every effort should be made to create as large a class of small proprietors as possible. The natives are admirably adapted for such a life, and the existence of such a class would add greatly to the productiveness of South Africa. As it is, in spite of the drawbacks consequent on communal tenure, no land in South Africa yields as much per square mile in grain, wool, and hides as do the native territories, and no rural districts take more imported goods per square mile.

THE REV. W. B. RUBUSANA

. . . Great injustice is done, and frequent hardships are imposed, by the removal of natives from municipal lands allotted them without any reasonable security of tenure being granted to them. They are induced to squat on these lands, to improve by buildings or otherwise their holdings, to pay rentals, water and sanitary rates, at the risk of being ignominiously shifted at the caprice of the town council, without, in some cases, any compensation. In fact, too great facilities exist for the usurpation of these lands at the hands of unscrupulous councillors. Too frequently the appointment of unsympathetic location inspectors is effected, and the position of these people is a most unenviable one. Apart from these necessary reservations, we are not in favour of extending the system of locations. The Glen Grey Act should meet all other cases.

THE LATE BISHOP OF ST. JOHN'S

The security of the native's tenure of land, whether individual or tribal—*i.e.* communal—is to my mind by far the most important matter we—*i.e.* people interested in their welfare—have to deal with. The natives, the Bantu of South Africa, are by instinct agriculturists and stock breeders, those are the means of livelihood which they have been brought up to. And I fear that if any large number cease to find an outlet to their energies in these directions they will sink to something very low indeed. Even those who learn a handicraft do so with the view of settling down after some years on a plot of ground, with commonage for a few cattle and sheep, and there raise crops enough for their families.

If they are to rise, it must be, I believe, by following this, their natural bent, on the methods which they inherit from their fathers, improved, where need may be, by contact with us.

The people are not yet ripe in many districts (the majority at present) for individual holdings, and I think that the tribal tenure should receive some sort of recognition, as a legal tenure, by the legislature. What is called "Fingoland" is given by a deed to the Fingo people. But inasmuch as they are told from time to

¹ See reply of late Bishop of St. John's as to headmen, *infra*, p. 305.

time, if not officially, certainly by common talk and rumour, that the deed is not worth the paper it is written on, some steps should, I think, be taken to give such tenure a legal status, if possible. While the passing of an Act of Parliament is all that is necessary to confiscate any land held by natives, overriding, it may be, the most solemn assurances of the past, some law recognising their tenure as permanent seems advisable.

I think, I may repeat, that great caution ought to be shown to the extension of the Glen Grey Act; the consent of the people should be obtained fairly and without pressure, and they should fully understand what they are agreeing to. I am aware that ignorant opposition is generally made to the most beneficial measures by natives, a trait of character not peculiar to them. But patience and explanation by civil servants and friendly traders, of whom there are many more than is usually believed, will remove the prejudice and make the ordinary native willing to receive a measure which will be more and more beneficial as time goes on. The class which will suffer in some ways is that of "headmen," whose power may well be diminished. These headmen form a class which has come into existence since the British occupation of the country. They are very useful as assistants to the magistrate in the government of the country, having to report to him all that happens in the locations, each location having its headman. They receive a small salary, about £10 a year. But they have in their own power the arable land of the district, as far as any new ground is concerned; so that when a man wants to break up new ground, he has to get leave from the headman. Old lands (arable) left by people who have gone to another district fall to the headman to distribute, and a good deal of corruption creeps in there. The new Act, which will give title to the arable land and the homestead, will do away with this.

In districts where the communal tenure holds good, I think more hold should be kept over the arable lands by the magistrate or other official, as abuse is common in this matter.

MR. T. L. SCHREINER

My experience does not warrant me in saying that legislation is absolutely needed at the present time, but I am sure it will be in the near future. I am, as already stated, in favour of maintaining the system of reserves with communal tenure of land in the case of uncivilised or semi-civilised natives still under their chiefs, but the door should be left open for civilised natives within the colonies to become small proprietors. I am in favour of setting aside and preserving a sufficient number of large territories for the use of natives under tribal law administered jointly by their chiefs and European magistrates, or eventually by the latter alone. In these no individual holding of land should be allowed, and such territories should be under Imperial rather than Colonial control. The aim in such territories should be to advance the people slowly but surely in civilisation, and eventually some kind of representative government might be set up among them.

MR. DONALD STRACHAN

I am of opinion that the system of tenure under the Glen Grey Act is the most suitable; and that the present areas of land held under

communal tenure would suffice for the present native population of the territories with which I am acquainted, but not in case of any abnormal increase in population.

MR. J. SUTHERLAND

... In the great locations the communal system ought without doubt to be maintained, and the land never broken up into small freeholds. Freeholds, if permitted, would in many cases be mortgaged or sold even to publicans, and the communal system with its main guards of supervision broken up.

MR. R. TILLARD

I am not aware of anything rendering it desirable or necessary to secure to natives by legislation land assigned to them. I am not in favour of extending the system of locations under communal tenure, but would encourage as far as possible individual tenure. The main object, in my opinion, to be kept in view is to teach the natives that those who have not property should go out and get regular work.

MR. W. ST. J. TURNER

Not here. The system of common tenure works here very well.

MR. J. W. WEIR

This is the most serious question before the country. Individual title must go hand in hand with civilisation; but what is to become of the surplus population? At present the reserves are homes for the families of the fathers and sons of those who are away at work; but when these reserves disappear, where will the families of those who live by labour find a home in the neighbourhood of the labour centres, such as Cape Town, Port Elizabeth, Kimberley, and so on? With practically unrestricted sale of Cape brandy and much lower wages, which an over supply of labour will bring about, the future of our aboriginal surplus population is not a pleasant prospect.

REV. CANON WOODROOFFE

Speaking generally, I think that the land occupied by natives is barely sufficient for their maintenance, much less for their prosperity. From the census returns of 1891 it appears that there are about ten acres of land to each individual. This allows for an increase of population taken at a low estimate. Obviously, therefore, the land which they now hold should be secured to them in its entirety. ... Were some understanding between the Imperial and the Colonial Governments adopted to the effect that no land should be alienated from natives without the consent of the former, then perhaps the tenure of land would be placed on a less insecure basis. And further it should be understood that the consent of the former will not readily be given, or perhaps will never be given. No violent changes in the system of land tenure would be wise. Distinction must be made between those districts in which the Government is supreme, and those in which native chiefs still exercise some authority. In the former the plan of cutting up the agricultural area into lots and of

granting titles with defined and restricted rights to the common pasturage might be carried out. In the latter patience must be exercised. Individuals have each his own arable land, and his possession is very rarely disturbed. There is no wrong calling for any remedy. I should leave well alone.

NATAL

REV. D. BRYANT

The question of the future location and provision of land settlements for the South African natives is a most serious and difficult problem, one which even deep-thinking persons here on the spot find it impossible to solve. Under present conditions of undisturbed peace the Kafirs increase at a remarkable rate. About 50 years ago the number of natives in Natal was roughly calculated at about 100,000; 33 years after this, when the writer first landed in Natal—that is, 17 years ago from date—they were stated to be 400,000; now they are nearly 600,000, an increase of 50 per cent. in 17 years, which means that before another 20 years are passed, the native population of Natal will be nearly 1,000,000 souls.

We next consider what class of people these 1,000,000 natives will be. They are, and will then still be, practically all small farmers—that is, persons living from the soil, and altogether dependent upon the plot of ground they hold—each family residing for itself on its own hilltop or hillside, far removed from its nearest neighbour, and all possessed of an inborn repugnance to “gregarious,” or village, life. They have no industries of their own and understand nothing of ours. Without its own separate patch of pasture land and arable soil no Kafir family could exist.

Now, while the native population in Natal and Zululand will continue to multiply itself indefinitely through all the coming decades and centuries, it is equally manifest that the land already long ago cut off by the Government for their special location will ever remain confined within the original limits—*viz.* some 2,300,000 acres odd. In a total population of 1,000,000 Kafirs there will be probably 100,000 married men owning separate kraals and having families averaging a couple of wives and as many batches of children. If the whole of the location lands were now equally divided amongst these, each would be allotted roughly about 23 acres. Such a plot of land would not be so bad, were it not that each 23 acres of Natal land contains on an average not more than 5 acres of naturally arable soil, possibly less; and furthermore that each and every separate kraal-owner is in possession of a herd of cattle numbering anything between one and 100, a stud of horses or a flock of sheep and goats being very frequently thrown in to boot. All this multitude of livestock would have to graze all the year round within the confinements of the particular 23 acres, upon which during the winter half of the year (when the cattle are accustomed to congregate on any common green spots along the rivers, up the kloofs, and so on) there may be absolutely no edible pasturage to be found.

This would be the state of things in only one short 20 years from date. Extend the time still further for, say, half a century, imagine the position of the Kafirs then, and say whether it does not appear high time that Government turn its practical attention to this matter.

Looked at from this point of view, the present existing "location" system does not appear by any means a satisfactory and enduring solution of the native land problem. Indeed, it is no solution at all ; but merely a system for preserving and accumulating increased difficulties for future generations, who will then find them altogether beyond adjustment. It is the characteristically South African method of dealing with *all* serious, urgent, though difficult native problems—education, polygamy, toleration of heathen customs, trading in girls, and so forth—procrastination !

The only manner I can see of tackling the difficulty is to proceed without delay to parcel out the native locations into small plots, and sell them at a reasonably small fixed price to the natives, each native having a preferential right to the spot upon which he is at present settled. This would not do away with the hut tax, for which there is a special law of exemption—*viz.* when a native builds a dwelling of civilised fashion. Such an arrangement would also be more profitable to the Government from the financial standpoint. The location lands, under the present system, are an utterly useless investment, producing for the State absolutely no monetary return at all. The lands now cannot by any possibility be again alienated from the native. Why not, then, make him pay for them a reasonable price—not so much for the land, as for the exclusive right to be granted him by the Government for his particular spot over every other member of the Kafir community who has not so paid.

The effects of the future increase, if taking place on these holdings—the rising generations being born on them—would not be so universally felt as if it occurred on the great location commonages, where a whole tribe of people would find themselves struggling together, mixed up in one common herd, each individual practically possessing as much and as undefined a right to everything else on the commonage as his neighbour. Let the holdings henceforth be distinctly marked off, and individual rights be clearly defined, and the worst aspect of the matter will have been arranged for. After that the problem might be left to work out itself.

MR. J. C. C. CHADWICK

I am distinctly in favour of securing to the natives land requisite to their maintenance and prosperity. For this reason I would maintain all the existing reserves or locations, but I would make provision for the natives now in occupation of such lands obtaining inalienable title to such portions of these lands as may be necessary to provide them each with a building plot, and a sufficiency of arable land for their requirements.

For this purpose I would have each location carefully surveyed and divided into (a) building plots ; (b) arable land (into plots sufficient for the maintenance of one hut or family), each such plot to provide a fairly liberal allowance of land ; (c) the balance of the land to remain open as a commonage for the entire live stock of the community. Title to the building and garden plots should be in the first instance provisional, for a fixed number of years, within which the owners should be required to make such improvements as were possible by fencing, tree planting, irrigating and improving the soil by manure or drainage and such-like methods. Each of these plots of ground should descend to the heir of the house to which they were granted.

There should, of course, be a certain portion of land in each location reserved for public purposes. The whole scheme requires elaboration as to details, but I believe this could be done without much difficulty, though I have no time to do so in this paper.

The objects to be attained by such a proceeding are mainly by giving to each head of a family a personal interest in the soil. He would be encouraged to labour in order to improve his holding, and the possession of property is always an incentive to loyalty and good behaviour. At the present time the natives cultivate in a slovenly and slipshod manner, and take no pains whatever to improve their lands, mainly because their tenure is so uncertain. I have often asked natives why they do not plant trees, fence and irrigate and manure their lands, and the reply has always invariably been the same: "Why should we worry ourselves over improving lands from which we may be ejected at any moment?" And this is quite true; no native living in a location, unless the chief of it perhaps, feels any security in his tenure. Nominally a native is not supposed to be removed without some substantial grounds; but if he gives offence to his chief or his neighbours, they will generally find some way of making his position untenable. . . .

There is nothing, however, in the laws of Natal to prevent natives from acquiring lands by purchase, and many of them have done so.

REV. G. JOHN PUGH

Legislation will be necessary in this country in the future to secure to the natives living in locations or reserves freehold land. In Natal nothing exists to prevent him purchasing land from Government or private individuals. Many natives are now landed proprietors and are doing well. I am strongly in favour of all locations and reserves being cut up into plots and sold to natives under necessary restrictions, and made freehold to the purchaser. It is highly desirable that we should encourage the coloured races of this country to become landed proprietors, and thus throw off their heathen customs and degrading and demoralising influences. It is not necessary to provide more locations if this be done; but some further provision will soon become necessary for the great numbers resident on private property who are being driven off owing to sheep and cattle stealing. These people must find some place of abode, and under existing circumstances many of the locations, not being properly managed and the land economised, are too small for the population. Were these lands cut up and sold in plots with grazing ground or runs for cattle, they could be made to carry double and treble the present population.

MR. W. SPENCER WALTON

I believe the system of reserves or locations, adopted in our colony, has proved a real help to our natives. We have large extents of Crown lands, which can be bought by our natives from the Government on very easy terms. Many avail themselves of this, and I believe the fact of being a land owner has a very wholesome effect on the natives, and helps to elevate them, making them feel that they are above the usual location native in position. It should tend to make them more industrious, and I believe it does in many cases.

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

The Protectorate belongs to natives; and there is clearly more land in their possession than is necessary for their maintenance. Some native chiefs have granted large concessions to white men, sometimes with a hazy notion of what they were doing. But natives assert emphatically that no chief has the right or the power to alienate native land, and that before the white man came such an idea never entered into any chief's head. (N.B.—I suppose there were no buyers then!) But it should be made impossible for any white man to alienate tribal land without the full consent of the tribal assembly.

Reserves or locations do not exist in the Protectorate, if the words be technically used. But the communal tenure of land prevails in native territories right through Africa. Much adverse criticism may fairly be launched against it. Native freeholders with power to sell their land or to subdivide it would become a prey to white men without conscience; and many whose conscience is good on most points do not hesitate to regard the native as fair game. The remedy would be most fruitful of wrong—would be worse than the disease.

In touching this question we must remember that we are in the Protectorate by the invitation of the chiefs, not by the right of conquest; and changes that might be justified by the conqueror would be base ingratitude in the guest. Something is surely due to the present chiefs which would not be due to them if we had conquered them. But any interference with the land in the direction of creating a class of small proprietors would be the most effectual check upon the power of the chief which could be devised. And yet that is the most desirable settlement of the land question, and it is a course which might well be made optional to any tribe who desires it. The tendency to split up the tribes was very pronounced before we came, and is more pronounced than ever before. Chiefs are becoming increasingly impossible. Quarrels and consequent appeals to the Government are common. And in many such cases the people should have permission to mark off the individual holdings of large minorities, and these should be confirmed by grant of *unsaleable title*.

BASUTOLAND

REV. A. CASALIS

It would be just and *political*, and would go far to make the natives firm allies of the Imperial Government in these two countries, if they were given some rights of *property*. As long as they own no land, they will be unsettled.

The system of *reserves* or *locations* with communal tenure of lands has been under trial for many years in many parts of South Africa, and is, in many cases, a failure. A trial should be made of the system of small native proprietors.

There is an evident connection between the liquor and land owning questions. If the natives can buy liquor freely, many of them will sell their land and even houses to procure alcohol. And the end obtained would only be the ruin of the native and the gain of the unscrupulous buyer.

Some clause might be included in the title-deed by which the would-be native proprietor would be duly informed that, in case of his contracting heavy drinking habits and not drawing by steady work a certain income or rent out of the land given to him, his grant would be forfeited and the deed cancelled.

TRANSVAAL

MR. H. W. MILLER

Undoubtedly it is the duty of the State to provide the necessary territory for locating the natives and their families. As many of the districts where natives are largely employed are not suitable for their location, owing to an insufficient supply of water for agricultural pursuits, ground not sufficiently fertile, and the like, it is not possible to domicile the majority of the natives in the neighbourhood of their employment. Owing to the great scarcity of water throughout this country it is necessary to reserve very large tracts of country for native locations, seeing they are dependent on the very irregular rains for cultivation, as those farms where irrigation is possible are in the possession of the white inhabitants of this country. When the ever increasing native population is considered, it is plainly to be seen that the making of the necessary provision to deal with this increase in the future is a grave responsibility for the legislature, and one calculated to try to the utmost the capabilities of those statesmen who have made a special study of the native question. As before remarked, I have not made any study of the merits or otherwise of the system of locations, in which the communal tenure of land prevails, but am inclined to think that in practice this system would possess greater advantages than the creation of small proprietors amongst the natives, as this latter would conduce to their becoming more and more independent of manual labour as time rolled on; and however we may feel sentimentally inclined towards assisting the native to ultimately become his own master, any effort in this direction at this juncture will not be of any assistance in solving the problem at present before us—how to obtain an adequate supply of native labour to enable us to work our mines and factories. This may sound selfish on our part, but it is a plain statement of facts.

THE BISHOP OF PRETORIA

In the Transvaal I do not think any legislation necessary to secure land for the natives. I think reserves and locations should be as much as possible discouraged, as nests of all the evils of native habits. But the creation of a class of small native proprietors would be most desirable, if accompanied by rules securing forfeiture if idle “squatting” habits were indulged, to which the natives naturally incline.

RHODESIA

REV. D. CARNEGIE AND OTHERS

The land question in this country being so unsettled, we are not prepared to say what legislation is required; and under the present conditions of native life we consider the communal system the best, they not being capable of holding individual titles to land.

MR. W. E. THOMAS

... I think it very necessary, in the interest of the natives, for native reserves to be provided, in which reserves I should allow no white man to build. I do not approve of freehold or any other personal proprietorship in land by natives.

SUMMARISED REPLIES

Mr. J. P. Cumming, Mr. G. E. Dugmore, Mr. S. H. Roberts, and Mr. W. C. Scully suggest that the provisions of the Glen Grey Act are sufficient for this purpose.

The Rev. John Harper and another correspondent do not consider that any fresh legislation is needed.

The Rev. T. Gamble and the Titular Bishop of Justinianopolis are in favour of individual tenure; the Rev. T. Gamble would, however, restrict powers of sale.

The Rev. J. W. Stirling and the Rev. S. Aitcheson think that the location system should be continued, but that individual title should be granted when possible.

Mr. W. Sutton is in favour of maintaining locations and tribal tenure.

QUESTION IX.—*Are you in favour of extending the franchise to natives; and, if so, under what conditions and restrictions? Are the present laws with respect to the franchise, so far as natives, mixed races, and British Indians are concerned, satisfactory?*

CAPE COLONY, ETC.

MR. J. KNOX BOKWE

In favour of extending it to the natives if they have the necessary property stake in the country, or are possessed of educational intelligence. Present laws fairly satisfactory, though the franchise was raised from £25 to £75 property value in order to keep natives out of the voters' roll. The educated class who are teachers of schools, and therefore acknowledged leading and intelligent section of natives, are often exempt by reason of low salaries. An educational test, as a consideration to them, would be a welcome addition.

MR. J. P. CUMMING

The franchise should be given to educated natives only. I consider the present qualification too easy, both as regards European and native.

MR. G. E. DUGMORE

In Cape Colony natives already have the franchise to a limited extent; and in view of the fact that in numbers the natives far exceed the total white population, great care is necessary. I would, while retaining the present educational and property qualifications, amend the Act so as to include the value of the land allotments—that is to say, all holders of allotments under the Glen Grey or any other Act who have made such improvements as to make the value of their allotment, including land, £75, and possessing the other qualifications, should be placed on the register of voters for Parliament. The Glen Grey Act

expressly excludes the *land value*, and to qualify the holder must make *improvements* valued at £75, *exclusive* of the land. The poor white may be simply a squatter, not owning an inch of land, and living in a tumbled down outhouse worth £10, yet he is placed on the list in virtue of being the occupier of the piece of land which he is allowed by the owner to cultivate on half shares. On one farm in this district (Wodehouse) twenty-four poor whites were thus placed on the list (and all joined the rebels). We have very few British Indians in this district—these are on the list of voters ; where, as in Natal, they equal the whites, some restrictions are necessary.

The ownership of the land should, I think, carry a vote, when the owner possesses the other necessary qualifications. Under the Act [the Glen Grey Act] this is expressly excluded, though a poor white squatting on another's land, and cultivating or not, the value of such land occupied is held to entitle him to a vote, provided he has the other qualifications.

REV. JOHN HARPER

In the matter of the franchise we should hasten slowly. Even where it is enjoyed, as in this colony, by many natives, large numbers cannot, through ignorance, judge for themselves as to the merits of most political questions, and their vote becomes an uncertain quantity, liable to be seized and used by whoever has the smartness to do so. I consider the present qualification in the Colony to be satisfactory.

REV. S. J. HELM

The natives have given full proof that they are worthy of the franchise. I consider the present franchise qualifications quite satisfactory, and sincerely trust they will not be altered. It is not so much the conditions, but the changing of the conditions on which he may have a vote, which disturbs the native mind.

MR. JOHN HEMMING

. . . I am in favour of extending the franchise to every native who qualifies himself by education and the acquisition of the necessary value of property. Our legislation is, in my opinion, sufficient for this purpose.

REV. R. HOWIESON

I think the present constitution of Cape Colony a very good and liberal one, and do not see how it would be consistent with safety to make it broader. There must be some restriction, so that the idle, the thriftless, and the vicious may have no hand in the making of laws which are to apply to the diligent and thrifty. The difficulty at present is not that the natives in Cape Colony have no privileges in this respect, but rather that they do not use their privileges. I understand that there are enough native votes to control the elections, and so decide the policy of the Government, if only the people were educated to take advantage of their privileges.

MR. D. A. HUNTER

I would certainly extend the franchise to natives under certain restrictions. As it stands in Cape Colony at present, it is too liberal probably.

I would suggest something like the following : Ability to read and write name, address, and occupation ; holding freehold property worth £100, or earning an income of not less than £100 a year ; living in a rectangular house with at least three separate rooms ; having been exempt from native law for at least three years (as suggested under Answer No. 7). Such would do for the Free State, where natives are two as against whites one ; for the Transvaal, where they are three to one ; for Cape Colony, where they are three to one. In Natal, where there are ten natives to one white, the law would require to be more stringent to prevent the white voters being swamped by the natives. The same conditions might apply to British Indians and coloured people—*i.e.* mixed races.

MR. C. J. LEVEY

. . . I would prefer a wider application of the provisions of the Glen Grey Act, *re* local government, rather than reduction in the qualification, which would lead to such considerable increase of the native electorate as would place in their hands the balance of power. . . .

REV. G. D. MATHEWS

. . . Why not apply to all South Africa the law at present in force in Cape Colony of an *educational* and a *rental* qualification? Make both of these as high as you please, so high as practically to shut out every native, but still leave the door open to such to enter into the ranks of *men* if only he comes to possess the qualifications. . . . I once proposed to Mr. Sauer to organise the natives in certain districts into groups with something like self or local government, and to give them a vote according to a numerical basis, say, one vote for every twenty natives. This would be the thin end of the wedge, and might encourage them to seek all the usual qualifications for an individual franchise. The present franchise laws for all nationalities are defective and unjust.

MR. L. L. MICHELL

I am in favour of an educational franchise test irrespective of colour, provided the applicant has the other qualifications required by law. A sufficiently civilised man with the proper pecuniary or residential qualification should have a vote, whatever his creed or colour. Where land is held in communal tenure, I would try the experiment of giving the native holders a collective vote through a representative.

MR. ALFRED MOSELY

This is a very complex question. I believe in extending the franchise as far as possible ; but those enjoying the same should, in my opinion, be payers of rent and taxes to a small amount—I do not by this mean the hut tax—and be able to read and write ; and the franchise, if thus extended, ought to be to all coloured races, including British Indians.

REV. W. B. RUBUSANA

The present Franchise Act is suitable ; but there is an underlying tendency on the part of the Cape Legislature to impose from time to time further onerous conditions which may have the effect of

eventually excluding the natives from its benefits. For example, this was attempted during the last session of Parliament, when the Bond minority, strongly opposed by certain Progressive members, endeavoured to insert a clause giving certain powers to magistrates and field-cornets to personally examine candidates for registration in regard to their educational knowledge and ability to write, whereas the present law worked satisfactorily.

THE LATE BISHOP OF ST. JOHN'S

The franchise should, I think, be given gradually and with caution. The present law of the franchise works fairly well. I would not lower the franchise. The natives vote for a man whom they like and trust, without much regard to his political views.

MR. T. L. SCHREINER

I would draw no colour line whatever in the matter of the franchise, but would make the monetary and educational qualification high enough to exclude the uncivilised and the barbarian. I do not think that natives living under their chiefs or on the tribal or communal system should be entitled to the franchise, though they may eventually have a representative body of their own. I think that in cases where the whole of the Glen Grey Act is applied, holders of ground by individual tenure who possess the monetary and educational qualifications required for the right to franchise on the part of a white man should be entitled to the same rights. With this one exception, I think the laws of the Cape Colony on the franchise are satisfactory. Rhodesia will fall in line with them. Even in Natal the open door to political rights for the native does exist. The Imperial Government should see to it that the constitution of the Orange River Colony and the Transvaal Colony are drawn up on the model of the Cape Colony. I believe in the policy of the open door, by which any coloured man who has raised himself to the level of the white man in civilisation, manner of life, education, the possession of the property and residence qualifications demanded by the franchise laws, shall be allowed the exercise of political rights. This seems to me the only safe policy to pursue. It has worked well in the Cape Colony, and it will work well throughout South Africa. To shut the door to political rights for ever in the face of the black or coloured man will be to close the safety-valve, and bring about a volcanic eruption in the future; while the policy of the open door will lead to a smooth and harmonious development of South African history.

MR. DONALD STRACHAN

I am in favour of extending the franchise to meet cases of natives possessed of sufficient property, which, however, does not qualify them under the existing property qualifications in Cape Colony, and would further suggest that the present educational test should either be done away with or altered.

MR. R. TILLARD

I am decidedly not in favour of extending the franchise generally to natives, but I do not consider the educational test satisfactory. There are great numbers of natives who cannot write, and who

have a greater knowledge of and take a more intelligent interest in political matters than many who can, and the education test renders the native vote not representative of native opinion. I should suggest that each tribe or location should elect a certain number of voters. This would not only ensure getting at the real native opinion, but the men elected would very generally be headmen or others accustomed to think and weigh matters.

REV. CANON WOODROOFFE

The qualification for the franchise in the Cape Colony is a high one. I see no objection to this, but the mode of registration is faulty. . . .

AN ANONYMOUS CORRESPONDENT

The Kafir is a very simple and wonderfully docile black; but I should certainly think it would need another generation of training and education before they could be made to understand anything about the franchise.

NATAL

REV. D. BRYANT

I certainly think a high-class native of recognised education and possessing a stipulated amount of landed property should be allowed the right to vote—the membership of Parliament, however, being for the present restricted to European persons. There is a fair number of natives of superior education in Natal, many of whom are likewise in possession of farms of considerable extent, but who nevertheless have absolutely no voice in the Government of the country. This is a very illogical state of affairs, and does not say much for British equity, seeing that we are just now fighting for precisely similar rights for ourselves in an adjoining country.

MR. J. C. C. CHADWICK

I am not in favour of extending the franchise to natives as a class, as they do not understand it, and their possession of it, in their present ignorant state, would, in my opinion, be productive of much evil. . . .

MR. W. G. HAMILTON

I am not in favour of extending the franchise to natives. They are, as yet, totally unfit for it, being, I should say, quite unable to comprehend our system of rule. Little is at present being done in Natal to educate and civilise the native population. Probably an improvement in this respect will take place when the war is over and the colony has to some extent recovered from its effects.

REV. G. J. PUGH

I would extend the franchise to all natives who have passed a high standard of education and are the proprietors of a house and land. . . .

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

No franchise laws for white or black exist in a Protectorate. But if the settlement which follows the war should involve a United States

or a Dominion of South Africa, then I should like to see the great native territories like the Protectorate and Basutoland provided with an advisory native council. The council would be very valuable to our Governors ; but it would be a fine primer of political education for the natives.

TRANSVAAL

THE BISHOP OF PRETORIA

The natives of South Africa are wholly unfit for the franchise, which, if granted, would ruin them and all good institutions. . . .

SUMMARISED REPLIES

The Rev. E. J. Barrett, the Rev. Thomas Gamble, and the Rev. Brownlee Ross are in favour of the same franchise for whites and natives.

The Rev. S. Aitcheson (as to Natal), the Rev. P. L. Hunter, and the Rev. J. W. Stirling are in favour of extending the franchise to natives with property qualification.

Mr. W. Nicolson (as to Natal) is in favour of the present restrictions as to natives.

The Rev. W. Arthur, the Rev. J. S. Moffat, C.M.G. (as to Cape Colony), Mr. S. H. Roberts (as to Cape Colony), Mr. W. Sutton (as to Cape Colony), Mr. W. St. J. Turner, Mr. J. W. Weir, and Miss P. M. Darton consider existing franchise laws satisfactory.

The Titular Bishop of Justinianopolis, Mr. G. H. Davies, Mr. W. Spencer Walton, Mr. H. W. Miller, the Rev. D. Carnegie, and Mr. W. E. Thomas are not in favour of giving the franchise to natives.

NOTE.—Mr. Cronwright-Schreiner, in an interview with the Committee, stated that, in view of the present conditions of South Africa, he advocated a further extension of the franchise to natives to enable them to protect themselves against adverse legislation.

QUESTION X.—*Are you in favour of restricting the sale to the natives of alcoholic liquors ; and, if so, what restrictions would you suggest ?*

CAPE COLONY, ETC.

REV. W. ARTHUR

Yes ; and am in favour of an excise worth the name.

MR. J. KNOX BOKWE

If prohibition to natives cannot be attained, any stringent restrictions that are available to save our people from destruction by strong drink.

THE BISHOP-COADIUTOR OF CAPE TOWN

There can, I think, be no doubt that for the present total prohibition of sale of alcoholic liquors to natives is necessary. This means "class legislation," but that is sometimes necessary on behalf of those for whom the legislation is made, at any rate temporarily ; and I have no hesitation in saying that the want of self-control, so characteristic of the Bantu, necessitates such action at present. It means, again, a

hardship to certain individuals, who have no lack of self-control ; but I believe that most of these would gladly welcome the disability, as a temporary measure, for the benefit of their race as a whole.

If natives are allowed free access to alcoholic liquor, not only will they be ruined (and that through our action or inaction), but the Europeans will also be directly affected ; the labour of natives will cease or become worthless, and there will be an outbreak of social crime.

I am of opinion that the making of Kafir beer is a matter which urgently demands attention and legislation. I would urge that the rule of the Church in the diocese of St. John's be adopted, *mutatis mutandis*, by the Government : that all Kafir beer-drinks be forbidden ; and that the use of Kafir beer be only allowed in the kraals for personal consumption. There is no difficulty in detecting a "beer-drink," which at once draws all the natives in the neighbourhood. The headman and the owner of the kraal should both be held responsible for the breach of such a law.

MR. J. P. CUMMING

Yes ; natives should not get any liquor excepting under permit from the magistrate or a doctor.

REV. W. DOWER

Yes, restrict and restrict and prohibit totally, except under permit from the magistrate ; and this is the wish of most of the natives themselves, except those who have returned from working in our large seaport towns.

REV. CYRIL S. GREEN

. . . Our position here is right amongst the raw heathen in the centre of Western Pondoland, far away from any towns. All I can say is that their own Kafir beer is quite curse enough to the people themselves and to the work of God, without letting them have any imported "fire-water."

REV. JOHN HARPER

I would urge upon the Committee to press very strongly to get inserted into any constitution to be granted to the two Boer States when they have been annexed a clause prohibiting the sale of drink to natives. . . .

REV. S. J. HELM

I have been forced, against my own personal predilection, to the conclusion that nothing short of total prohibition for some time will answer for natives. As yet they are too weak to be moderate.

MR. JOHN HEMMING

The liquor question is all-important in dealing with native questions. The ordinary native has not sufficient self-control to be able to check his desire for ardent spirits, and under the influence of strong drink he becomes a maniac ; about seven-tenths of the crime in this colony can be traced to drink. We now have restrictions under legislation ; the hours of sale to natives in this district are from 9 a.m. to 5 p.m., excepting on Saturdays, when they can only obtain it from 9 a.m. to 2 p.m. The liquor must be drunk on the premises, and the quantity

is restricted to half a pint per day. No liquor can be sold to natives, except on the order of a resident magistrate, assistant resident magistrate, or field-cornet, or on the certificate of a medical man; in the latter case a bottle may be purchased and removed. These restrictions will, it is hoped, have a beneficial effect, as the natives will now be unable to purchase in large quantities and take the liquor home for an orgie, which they used to do every Saturday night.

MR. D. A. HUNTER

I am strongly in favour of total prohibition of selling liquor to natives. We have this in Basutoland and the Transkei. The Orange Free State has also, much to its credit, taken this position.

The Dutch wine-farmers in Cape Colony, who make brandy which is *retailed* to natives and half-castes at sixpence per quart bottle, are the chief obstructionists to temperance legislation in Cape Colony.

REV. P. L. HUNTER

Yes. In towns, restricted hours of sale; in native territory, pass from magistrate, to be filed for police inspection and report.

THE TITULAR BISHOP OF JUSTINIANOPOLIS

Would allow natives no alcoholic liquors at all, except perhaps a little Kafir beer.

REV. G. D. MATHEWS

Certainly. Do as the Americans do. Do not punish the drunk native, but punish the man that sells drink to him.

MR. LEWIS L. MICHELL

Most unquestionably. The various attempts, especially by Mr. Rose-Innes, Q.C., made in the Cape Parliament to regulate and restrict the sale of liquor to natives have always had my support.

REV. J. S. MOFFAT, C.M.G.

As total prohibition to natives is beyond the range of practical politics, restriction is the next best thing. The Innes Liquor Act is good so far as it goes, and is being extended in its application. It is a permissive Act, and there is a growing disposition to adopt it. Absolute prohibition works well in Basutoland and in British Bechuanaland; would work better in the latter if the Colonial Government were sincere in its enforcement.

MR. ALFRED MOSELY

I am in favour of putting every possible restriction on the sale of alcohol to the natives. A firm hand is necessary in this direction, more especially as regards the lower-class canteen keepers and degraded whites who have hitherto made a living by smuggling liquor to the natives against the law. This question, in my humble opinion, is of the greatest imaginable importance to the welfare and development of the South African natives; and under British administration, which we shall now get in the whole of South Africa, there ought to be very little real difficulty in dealing with the matter.

REV. W. B. RUBUSANA

There can be no question as to the advisability of restricting the sale of liquor to natives. The feeling of the country has been shown in its determination to support the Innes Liquor Bill, and with less opposition from interested members in the House. A heavy excise, followed eventually by total prohibition, is the aspiration of all true lovers of the native.

MR. T. L. SCHREINER

. . . The prohibition of the sale of alcoholic liquor to natives has been a blessing wherever honestly carried out. It is perhaps the most important factor in securing the existence and welfare of the native races, and it ought to be universal. The natives themselves ask for it, in order that they may be saved from ruin, and there are no insuperable difficulties in carrying it out. The opposition to it in the Cape Colony springs from the wine and brandy farmers of the Western Province, who want a market for their manufacture in the bodies of the black men. The successful prohibitory law of the former Orange Free State should be kept in full operation now that territory has passed under the British flag ; and a similar law should be administered and carried out in the Transvaal.

REV. J. W. STIRLING

Yes.

MR. DONALD STRACHAN

I am in favour of the restriction, but with the exception of pure Kafir beer, the sale of which to natives travelling home from work or at laborious (? occupations) should be allowed and perhaps even encouraged.

The present restrictions to the sale of alcohol do not seem to work well, being exercised without sufficient discrimination, as some do, in my opinion, require spirits in moderation, owing to the change in their mode of living brought on by contact with Europeans.

MR. JOHN SUTHERLAND

The sale of alcoholic drinks to natives ought to be absolutely prohibited, the art of distillation unknown to them in their native state ; but would allow them the use of their own Kafir beer, with which by itself it is difficult to become intoxicated. It is their native drink and national beverage, and forms both food and drink ; it would in this hot climate be cruel to refuse its moderate use.

MR. WILLIAM SUTTON

. . . On the whole, I believe in restricting, indeed prohibiting, the sale of alcoholic liquor to natives in an uncivilised state. It will be a present benefit to the white race, although probably ultimately the black man will adopt the vice, and, if so, tend, as the whites do, to die out. I would prohibit the sale of liquor to aboriginal natives in their *native* state, and perhaps for a generation after ; but it is a difficult question to work out practically.

MR. R. TILLARD

The prohibition of supplying liquor to natives is a difficult and, in my opinion, doubtful question. I presume everyone will agree that it is the duty of the Legislature to prevent the demoralisation of natives by excessive drinking, and I consider all reasonable persons will agree that voluntary moderation is better than enforced total abstinence. I was magistrate for twelve years at Mafeking and Vryburg, where there was total prohibition, and have now been here for nearly two years, where there is a large native population around the town and no restrictions, and I have no hesitation in saying there was more drunkenness amongst natives at Mafeking and Vryburg than there is here. In Bechuanaland, and more especially in Vryburg, the aboriginal natives, with very few exceptions, did not attempt to get liquor, and drunkenness was almost entirely confined to colonial natives who had drifted up there. It is also to be borne in mind that the prohibition of supply creates the crime of procuring it, and, it appears, incites, if it does not create, the desire to obtain it. In Mafeking and Vryburg the principal crime I had to deal with was that of supplying natives with liquor. It was done, I am convinced, to a very small extent by the licensed dealers; but low whites and half-castes, who did not come within the prohibited degree, used to make a business of it. A detective system had to be carried on, which, I can state from experience, is demoralising to the constables employed, and this only checked and did not stop the trade. With regard to the Innes Liquor Act, I have not seen what has been the practical result of its operation; but I may say, speaking from my up-country experience, that I do not think any Act will be effective unless the prohibition extends to half-castes. It is a difficult question, as many very respectable persons have coloured blood in them; but it was our main difficulty in Bechuanaland, although there half-castes living in locations were prohibited. The difficulty, I think, might be met by extending the prohibition to all persons of mixed blood, but allowing magistrates to give fitting persons permits to purchase, which might be annual and should be subject to be revoked.

From the foregoing it will be seen that the result of my experience is to show that it is very difficult to carry out prohibition; and as it creates a new crime which is not *per se* immoral, I think it must be allowed it should only be put in force when it is shown to be necessary.

With regard to the demoralisation of natives from excessive drinking, I am convinced that it is going on in many parts of the Colony, but I may safely say it is not in this district. Since the passing of the Innes Liquor Bill, and especially before the annual meetings of the Licensing Court, I have made careful inquiries from persons qualified to give opinions, and the general, or I might almost say the universal, opinion is that the natives are not becoming demoralised from excessive drinking, that there is not much drunkenness amongst the natives, and that it has decreased of late years. I am aware that it is frequently said that drink is the cause of the vast majority of crime, but I must say I do not think statistics would bear this out. Since the beginning of this year I have kept a record, and find that out of 65 cases of natives tried, only 18 could be attributed to drink, and at the last Circuit Court held here there were seven cases, not one of which arose from drink.

It has also been said that drink is the cause of a great deal of insanity amongst natives ; but I am informed by the Medical Superintendent of the Fort Beaufort Lunatic Asylum, which is entirely a native asylum, that out of the 364 cases admitted, the cause of insanity is shown as unknown in 330 and known in 34 cases, that in no single instance has intemperance been suggested in the medical certificates or history sheets, and nothing has transpired in subsequent inquiry from patients themselves to arouse the suspicion that drink had anything to do with the individual becoming insane. The history sheets alluded to are framed by the magistrate of the district the lunatic comes from, and if drink were the cause it would almost certainly be known and stated.

MR. W. ST. J. TURNER

The present severe restrictions work very well.

REV. P. N. WAGGETT

I am entirely in favour of forbidding the sale to natives of alcoholic liquors, except under a special licence granted for each separate purchase. If the same rule could be extended to the mixed coloured population of towns it would be of incalculable benefit, but it is probably impossible. The Rose-Innes Act empowers local licensing bodies to restrict sale of alcohol, and might be applied more strictly with great benefit.

REV. CANON WOODROOFFE

With reference to restricting the sale of alcoholic liquors to natives, the question arises, is it possible to restrict the sale? Many are of opinion that between total abolition and free sale no middle course is practicable. Partial restriction offers more facilities for illicit dealing than total prohibition. The sale of alcohol and gunpowder ought to be Government monopolies. This, however, is a counsel of perfection to which no Parliament can be expected to rise. In those regions in which total prohibition prevails, it ought decidedly to be maintained ; no relaxation whatever should be countenanced. In the Cape Colony brandy has been sold to the natives freely for years. The Innes Liquor Act, which was passed through Parliament last year, and was maimed in the process, has not proved so successful as was anticipated. Its chief opponents were the brandy makers, euphemistically termed wine-farmers, of the Western Province. They command many votes. Total prohibition will, I think, never be attained. I should be content with a sufficient measure of restriction, provided the law were not evaded. And first the price should be raised by 5s. or 6s. a gallon, or more. If this cannot be done by an excise duty, it must be done in another way. Secondly, the amount of the licences charged to the smaller retail dealers should be reduced. As they now stand they tempt a man to break the law. Thirdly, the hours of sale should be limited ; no sale to natives should be allowed before 9 a.m. or after 6 p.m. in the winter and 7 p.m. in the summer. Native bars should be abolished. No sale of spirits to natives should be allowed, except by written permit of some person or persons specially authorised. Measures should be taken to prevent adulteration except by the addition of pure water.

Your Committee do not appear to be aware of the alarming amount

of evil caused by the large native beer parties. These are held in the Transkei, Tembuland, and Griqualand East, and are a fruitful source of mischief. They are said to be more demoralising than the brandy traffic within the Colony.

AN ANONYMOUS CORRESPONDENT

Our chief trouble among them was the drink question, and we tried all we could to aid Miss Schreiner in her mission to restrict the sale of drink to the natives. I have heard many Kafirs say they did not wish to drink, but they could not resist when it was obtainable. They used to buy a spirit made in the Colony on purpose for them, called "Cape Smoke," and then lie down and drink themselves insensible, and frequently were found on the veldt next morning dead. The one benefit of the compound system is the prevention of drink. I am sure the prevention of the sale of alcohol to the natives is most important ; but how it is to be prevented I cannot say, unless the sale of it could be made a punishable offence.

AN ANONYMOUS CORRESPONDENT

I am in favour of a heavy excise duty upon alcoholic liquors levied on the retailer, and, as far as the native is concerned, of total prohibition, as necessary to save the race.

NATAL

REV. D. BRYANT

I am thoroughly in favour of *total prohibition* of all intoxicating liquors to natives, save such as have obtained, by qualification of education and good character, exemption from native law. However much we might like to speak otherwise, the native character possesses the veriest minimum of moral self-restraint ; and strong intoxicating liquors invariably present an overpowering temptation, which not one among a hundred of blacks can successfully resist. Europeans offending in this respect by illicit selling to the natives should be punished much more heavily than they are.

MR. J. C. C. CHADWICK

I am strongly in favour of the total prohibition of the sale of intoxicating liquors, other than native beer, to all natives. Such a law exists in this colony, and, although it is frequently evaded, it has, I am convinced, a very sensible effect in the way of lessening drunkenness and immorality amongst the natives.

REV. JOHN FERNIE

Yes. We do restrict it in Natal ; and although our licensing boards are not nearly strict enough in granting licences, our legislation is an undoubted good.

MR. W. G. HAMILTON

I am strongly in favour of absolute prohibition. This is the law in Natal, and the results are excellent. There is very little crime amongst the natives, and this is, I believe, chiefly due to the sale

of intoxicants to them being forbidden. The most common forms of crimes by natives are assaults and faction fights, and these are nearly always found to follow a native beer-drinking meeting.

MR. W. NICOLSON

The sale of alcoholic liquors to natives in Natal is an offence punishable by fine or imprisonment. I think this law absolutely necessary in the interests of the natives themselves.

REV. G. JOHN PUGH

I am strongly in favour of the restriction of the sale of liquor to natives. The laws of Natal in this respect are admirable. Total prohibition has worked well for many years past.

MR. W. SPENCER WALTON

I would on no account support the sale of intoxicating liquor to the natives. It has been an awful curse in Cape Colony, and the contrast between the natives of that colony and ours, where the selling of liquor to the natives is severely punished, is very remarkable. I am glad to say our Government is waking up to the need of restricting native beer-drinks, and has prohibited the same on Sunday.

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

Make it a crime to sell or to give liquor to natives, and a crime for the natives to receive it, either as a gift or a purchase. That is the law of the Protectorate, and there is but little evasion. But I would not include "native beer" in this stringent law, though clearly some legislation should be introduced in respect to it.

BASUTOLAND

REV. A. CASALIS

The *liquor question* has been settled long ago. The great Chief of Basutoland, Moshueshue, requested that the sale of alcohol should be prohibited, and so it has been, except during a period of some years when Basutoland was under the Cape Colony. Then the drinking evil was doing much harm. But under the Imperial Government the law was enforced again; and though a few cases of smuggling will occur now and then, one can say that *there is no liquor in the country*.

TRANSVAAL AND ORANGE RIVER COLONY

MISS P. M. DARTON

Certainly; nearly all native crimes are the result of "dop" and a kind of opium smoking, "dakha." The illicit liquor selling is carried on by low Dutch and Jews, and is a very great evil, but the natives love getting drunk. . . . At night the road to the mines is unsafe, because Kafirs get drunk and then murder and rob. The price does not act as a restriction; they earn much and freely pay. Certainly I would make it costly, *only have it good*, and restrict the quantity sold.

MR. H. W. MILLER

I am in favour of absolute prohibition of liquor to natives. In 1883, before the distillery was built in the vicinity of Pretoria, it was an exceedingly rare thing to see an intoxicated native in the Transvaal, and I never saw anything to impel the belief that the deprivation of liquor was in any way a hardship to the native. . . . The native when deprived of facilities for obtaining drink is a better worker and altogether a more respectable member of the community, and moreover, the work of the Criminal Department is much lightened.

THE BISHOP OF PRETORIA

I would allow the native free use of his own native beer, and I think they have a sort of spirit also which they might be left to enjoy. But any drunkenness or disorderly conduct should be severely punished in such way as to cause shame and pain—*e.g.* the stocks or the old-fashioned ducking stool, and for second and after offences lashes.

But the sale or gift of spirits of the European type and strength should be absolutely prohibited, except a master might for prudence and security give his labourers a small daily supply, say a gill, and no more.

Any offence against this should be punished by imprisonment with labour; a fine is no deterrent, and the offenders are a low class of dealers who need a high and severe hand. They are the curse of the mining districts.

On the former of these subjects, "native beer, etc.," there are some very sensible remarks in a paper by the Bishop of Lebombo published in *The Mission Field*, or S.P.G. Report.

RHODESIA

MR. W. E. THOMAS

Absolutely and entirely; and I should be in favour of giving lashes to a man on a second and subsequent infringements of this law.

SUMMARISED REPLIES

Mr. J. N. Cock, Rev. Thomas Gamble, Rev. R. Howieson, Mr. C. J. Levey, Mr. S. H. Roberts, Rev. Brownlee Ross, Mr. W. C. Scully, the late Bishop of St. John's, Mr. J. W. Weir, Rev. S. Aitcheson, Mr. G. H. Davies, and the Rev. D. Carnegie, and others, are in favour of total prohibition as regards the natives.

QUESTION XI.—*What suggestions, not included in your answers to the above questions, would you make with respect to the improvement of the condition of the native races and as to the legislative provisions in their behalf in any future settlement of South African affairs?*

(a) DESCRIPTIVE: GENERAL QUALITIES AND TREATMENT

CAPE COLONY, ETC.

REV. W. DOWER

Providence has placed us in the position of being their guardians and teachers. Our fathers deprived them of their lands and put an

end to their national life. We owe them surely a chance to live, protection, instruction in the industries which are the adjuncts of civilisation.

In any future settlement of African affairs, I hold that legislative provision should be made for the man of colour having a chance, an open door to any position for which his mental, physical, or moral qualities will fit him. No pampering with exceptional privileges, or to put it in the language of Kidd's *Social Evolution*, "to be admitted to the rivalry of life as possible on a footing of equality of opportunity." Unless this be a part of the new settlement, there will again be trouble in South Africa. For coloured men in South Africa are rapidly being educated, and they have a keen sense of injustice, and continued injustice would unite them in their demand for equal treatment. This question of equality, "gelijkstelling," has all along since the abolition days been the apple of discord in South Africa. Although presently it looks as if the present strife was on behalf of equality for whites only, it may be, as in the case of the American Civil War, Providence's method of bringing about the abolition of all legal distinctions on the ground of colour.

MR. G. E. DUGMORE

The natives under British rule having same access to law courts as Europeans, are generally well able to take care of themselves, and quick to avail themselves of the protection of the law when necessary. Owing to the mining and railway construction in progress, they can get plenty of work at very good wages, 1s. 6d. to 3s. per day. It has been stated by Major Elliott, Chief Magistrate, that about £500,000 (half a million pounds sterling) was being remitted or brought into the native territories annually by men who had gone to work.

They are conveyed over Cape Government Railways at a very low rate to and from the labour centres, so that they bring home the bulk of their wages, unless demoralised by drink.

This drink question is far away the most serious, and unless checked will have a most demoralising effect on the native race.

In native territories under British rule drink is under restrictions almost equal to prohibition, so that the young natives grow up sober, they go as young men to work in towns, on railways, or at mines, where great facilities exist to obtain drink of the worst quality at a cheap price, and thousands of them come back ruined in health and morals, and the responsibility rests with the whites, who are the manufacturers and sellers of this poison. If really efficient steps are taken to do away with this evil, in other respects natives can very well take care of themselves, and require no coddling, which will do more harm than good, however well intentioned. It must not be overlooked that the aboriginal native is only beginning to emerge from a state of barbarism, and has certain vices deeply ingrained.

He is an expert stock thief, and seldom lets slip an opportunity.

He has no respect for truth if he thinks a lie will better serve his purpose.

He is not naturally fond of work, and is only induced by good wages to seek it, and requires when at work constant watching, or he will skulk.

He is cunning, as shown by altering the figures on his pay slip by making 2s. into 3s., and where piecework in mining is measured by a pick shaft, cutting off an inch from his pick shaft.

He is keenly exacting of any rights, expects payment for the smallest service, and never rests until he has received any reward or present promised.

In fact, in most respects he is well able to take care of himself and look out for "No. 1," and under British rule enjoys ample rights and liberty.

On the other hand, he does nearly all the hard manual work, and, if properly treated and sharply looked after, does it well.

He has a keen sense of justice, and accepts just punishment without resentment or after ill-feeling, and if treated with firmness and justice is a very useful, contented member of the community, but is easily spoiled by coddling and petting, and soon becomes saucy and independent if any weakness is shown in his management.

Speaking, therefore, for the colonies and states under British rule, I do not think any special legislation is called for. He has good friends in Parliament, and the English instinct to treat inferior and weaker peoples with perfect fairness is as strong in English colonists as at home, while they are far better judges of the necessities and requirements here, and less liable to make mistakes.

REV. JOHN HARPER

Generally, if the native races are granted security of land tenure, are encouraged and helped in the matter of education, with freedom of movement to offer their labour in the best market, whilst the drink is kept from them, and chiefly and lastly the Gospel is faithfully ministered to them in a continuous way, I think they must be left to work out their destiny.

REV. P. L. HUNTER

That witchcraft be severely dealt with by law, and that the power of the native chief be reduced and safeguarded. Create needs among the people, and you will thus induce industry and commerce.

REV. G. D. MATHEWS

We must employ, as far as possible, the natives themselves in governing themselves and managing all local affairs. Put responsibility on them, and they will rise to the occasion; but so long as they are not allowed to do anything but pay taxes and be cuffed and kicked by everyone, the slave feeling will remain in their souls. To make them men, let us treat them as men.

MR. ALFRED MOSELY

One of the great points to be settled in the future is as to the missionaries and the Christianising of the natives. I humbly beg to give my opinion to the effect that the missionaries have not had the success that should have crowned their efforts, for the simple reason that before you can instil Christianity into the native mind, you must first educate and civilise him. . . . If the native can first be taught to work and be gradually civilised, I see no reason why, with the brains and physique that the average aborigine undoubtedly has, he should not in course of time become a useful member of society. Do this first, and Christianise him afterwards, when he will be capable of understanding Christianity, which he never has done and does not at the present time. I should, however, wish to warn those who have the

interest of the native at heart that the only true progress is slow, and, although I am quite in sympathy with those who would try to elevate him, the matter is one that must be handled with great delicacy and judgment, and above all you must neither try nor expect too much at first.

REV. BROWNLEE ROSS

I think that if the state of affairs that has been the rule in Cape Colony during the last few years continues, and is made the rule all over South Africa, the future of the natives will be a bright one, *provided* two things are seen to :—

- (1) The sale of alcoholic liquors to the natives be prevented.
- (2) A large number of natives be settled on the land and be secured in their positions as small proprietors.

If these points are secured the natives will be quite able to hold their own in South Africa, and will certainly grow into a truly loyal and progressive people. Without proper regard to these two points, I fear we may have a few respectable natives and a great mass of degraded black paupers, who will be a continual menace to the social life of South Africa.

MR. R. TILLARD

With regard to the promotion of the welfare of the natives, it appears to me they are very well off as it is. Men and women able and willing to work can obtain it at such remunerative rates that if they work continuously and exercise frugality, they can become independent in the course of not many years ; they have security of life and property, live under equitable laws and administration, and have facilities afforded them for acquiring education ; they are, I believe, generally contented with their lot, and, in my opinion, have reason to be. Their position is certainly better than that of thousands of " poor whites " in the Colony.

The future, and in some parts, I believe, the present, difficulty appears to be the obtaining of land for natives to live on ; the present locations are, or will soon be, overcrowded. There does not appear to be land available for other locations, and there is in most districts a strong feeling against the forming of native locations on farms, especially when the natives have little property. The remedy for this, as I have already pointed out, is by instilling into their minds that those who have not property should go out and work regularly until they get enough to start on on their own account.

It will be observed that I have had no experience amongst the natives living beyond the Kei, where, I believe, the circumstances are somewhat different.

I am sorry to say I am afraid there is some serious defect in the system of educating natives generally. It is a general feeling, which I am not prepared to say is groundless, that educated natives have more distaste for work and are not as good servants as the raw material, and I think it is obvious that a system of education which fails to inculcate the necessity and dignity of labour is not on right lines.

BASUTOLAND

MISS P. M. DARTON

The rule in Basutoland answers well. The people are prosperous, happy, rich ; but we do too much for them. We are very foolish to

try and change their mode of life. We should take their native laws which are good and add better, and leave polygamy and heathenism to die out. Our missionaries go without a knowledge of the language and fancy they can understand. It takes six years to learn Sasuto, and a lifetime to learn it well. It is a beautiful language, full of hyperbole and sweet sounds, with a very accurate grammar.

Children are not allowed to use "baby language," but are corrected from the very first and made to speak correct grammar. Incorrect grammar is a sign of low birth, and a Basuto prides himself on his descent. If you want to hurt him very much, if he is rude (and he very seldom is, courtesy being a native characteristic), you say, "Ah! of course I must excuse you; you are not well descended."

The rules of the natives are very strict as to marriage and morals, honesty and truth, the punishments very stern. We should do well to learn first all about their laws.

It is a common thing to say "they have no religion"; but that is nonsense. They call God the "All Powerful"; they believe in a lightning bird and the spirits of their ancestors and in a future life. One heathen woman, in speaking of the death of her baby, said, "Yes, my heart is very sore. I thought God had given me the child, and He had only lent it." That was a heathen blanket Kafir.

One missionary after four years' study felt he had mastered Sasuto, and showed with pride a bit of his Bible translation. *Correctly* read, it was: "Do thou good unto no man, for no man will do good unto thee." We try to teach them in twenty years what we learnt as Kelts in three hundred or three thousand. We should learn ourselves first. The colonies will never be properly understood till they are represented in Parliament by men who have either been born in them or lived twenty years in them. Natives will never be properly ruled except by those who have lived amongst them all their lives, and these say, "We have failed." Our Christian Kafirs are not better than their heathen brethren. Now and then brilliant exceptions arise, but they are exceptions.

TRANSVAAL

THE BISHOP OF PRETORIA

The natives of the Transvaal are in the condition of children—children who are ready to trust and lean upon and obey the English rule, though they have suffered much through our faithlessness to them. All legislation should deal with them as such, firmly, kindly, evidently seeking their good. For this a native department and Minister should be maintained, and native courts. But these should in no case, as once, if not now, in this colony [Natal], minister native law when opposed to the ways of Christian civilisation, especially as to marriage.

(b) EDUCATION

CAPE COLONY, ETC.

REV. THOMAS GAMBLE

Compulsory education would be *the* best up-lift for all coloured people.

REV. S. J. HELM

While gratefully acknowledging the generous provision made by our Government for the education of our native children, I think the time has come that more should be done in this direction, that in towns, at least, "public undenominational native schools" should be established, together with compulsory attendance.

REV. R. HOWIESON

It seems to me that one of the greatest needs of South Africa at the present time is compulsory, free, and undenominational education. This is a matter which the friends of the natives ought to look straight in the face and bring about at the earliest possible date. There is little ambition in most of the natives themselves for education, and this makes the attendance very irregular. Many, on the other hand, are very poor, and out of four or six children who are eligible for school can only afford to pay for one or two. Another great drawback is that all our schools are understaffed, so that the children do not get anything like the attention they need. And work as we will, there will be no decided advance until education is made free and compulsory.

MR. D. A. HUNTER

A scheme of education for the natives, which should be compulsory wherever they are sufficiently settled and enlightened to make this practicable.

A great extension in the way of industrial education in agricultural and dairy-farming, fruit-growing, drying, and packing, gardening, forestry (the climate of South Africa could be greatly improved if the ranges which have been denuded of trees were replanted), artesian boring, trades (carpentering, blacksmithing, printing, etc.), the introduction of new industries, not at present in the hands of white people, which are suitable for natives. There are several of these trades which might give employment and an honest living to a great number of natives.

Native women ought to be trained on a considerable scale as nurses. They could be of immense service to their people, and this is an opening for women who are widows, or who have been second or third wives, and have left their husbands on becoming Christians. They are a considerable class, and not easily provided for in a satisfactory manner.

REV. G. D. MATHEWS

Along with changes in the existing labour, drink, and franchise laws, there should be adopted a system of *national education*. It may be a question whether, as yet, native and European children should be taught in the same schools; but there should be education for the native as well as for the white child. In this national system the *English language should be the sole medium of instruction*, while the Dutch language should be taught as we teach French and German. In this way the native population would be Anglicised in speech, and be better prepared for understanding our British ideas of law and government.

MR. LEWIS L. MICHELL

My final suggestions are these. The natives at present are practically in the position of able-bodied children, and amenable as such to either good or bad influences. Their emergence from barbarism should be recognised as requiring time. Culture and professional careers may come in course of years ; but the crying need now is to give the natives rudimentary education and the elementary virtues of honesty, truth, cleanliness. A boy unspoiled by contact with large mining centres, to which European rascality naturally gravitates, is often the equal in many ways of a white man. Privately and in business I have employed many boys, Zulu, Basuto, and others, for long periods, and found them for honesty and patient, cheerful discharge of duty unsurpassed.

A tincture of education, religious and otherwise, acquired at Lovedale or Keskama Hoek has kept many a boy straight and set him on a career of usefulness in after-life. I deprecate *over-education* at this stage. The regeneration of the natives must in its gradual but unfaltering course resemble the great processes of nature.

We must be patient, especially as meanwhile there is much to be done. We want a great extension of elementary education in the country districts, great restriction on the liquor traffic, great encouragement to the exercise of thrift by the creation of penny banks for natives alone, and above all, a far clearer recognition by the Dutch Reformed Church of its responsibilities towards the natives who speak its language and are nominal members of its communion.

REV. W. B. RUBUSANA

Compulsory education, technical and industrial schools, and schools for higher education, are a *sine quâ non* in the improvement of the condition of the native races ; and it may be politic to observe, that whilst the principle of compulsory education in a modified form has been accepted by the Colony for children of European extraction, the usual retrogressive symptoms protrude themselves like the hydra-headed monster, and an attempt is again made to eliminate the native and coloured people from participating in the advantages accruing to this measure.

The whole question of the education of the native and coloured races in South Africa is on a most unsatisfactory basis. True, in point of attendance at schools in the Colony, the native and coloured children preponderate, and doubtless will remain so in the future, seeing that the proportion of coloured to white in South Africa is approximately four to one, if not more.

Notwithstanding this, but, in fact, in spite of it, we find from the Report of the Superintendent-General of Education that, whereas the Government grant to first-class European public schools averaged £3 6s. 5d. per head per pupil in 1898, the grant to native institutions of similar grade averaged only 14s. 1½d. per head per pupil. Again, third-class public schools (European) averaged £1 19s. 3¼d., and mission schools to natives of a similar grade only averaged 12s. 6¾d. ; and, moreover, whilst the tendency is to increase grants to European schools, the grants to native schools are decreasing. We do not blame Dr. Muir for this regrettable state of affairs, recognising the difficulties he has to face in dealing with colonial prejudices. That

feeling is exemplified most pointedly in the Report of a Select Committee of the Legislative Council on Education in 1896, which, in referring to native schools, commented as follows: "We are pleased to find from the Superintendent-General of Education that no public money is given for the instruction of aboriginal natives in higher branches of education, with the exception of those funds devoted to the training of pupil teachers. We are of opinion that State-aided education for aboriginal natives should be of a purely elementary character, and that in connection with it agricultural labour should be fostered and encouraged in every possible way. It also seems to us that coloured children are frequently allowed to remain too long at school; certainly it is not desirable that they should remain after they have passed the *third* standard, or attained the age of fourteen years. . . . In all cases there should be a dividing line between European and coloured children in schools; and as far as possible separate schools used for coloured and white children."

When our Legislative Council evince such a deplorable lack of assimilating present day knowledge, and cannot realise that the greatest evils, to both citizens and States, arise out of ignorance due to lack of education, the feeling of the country which they are supposed to represent will be better understood.

The highest official in the land, the Hon. W. P. Schreiner, the Cape Premier, represented that feeling when, speaking in the House last session, he characterised the natives as "our natural enemies"; and again when he recommended that coloured candidates for examination should not be allowed to sit side by side with their European *confrères*. The true line of statesmanship can only be found in approaching South African problems of this nature in a straightforward, just, and manly spirit, these being the highest elements of civilised and Christian government.

Higher education in the shape of that accorded by colleges and universities, and which will afford scope for the recognition of the abilities of coloured men in the higher branches of literature, science, and art, are a first requisite, which calls loudly for the attention of your association and other kindred societies, as well as leading men, philanthropists, and humanitarians.

Following up the question of higher education, it must be noted that the native is denied the privileges accorded to Europeans of further advancing his education by admission to existing colonial colleges. These are closed to him on grounds of "caste," and he cannot, therefore, qualify for the professions. Such institutions as Lovedale may "matriculate," but cannot qualify for such professions as law, medicine, engineering, survey, mining, or the higher education of women. It is, therefore, obvious that a recognised university for natives, after the fashion of Tuskegee College in America, should be established, free from all denominational control.

REV. J. W. STIRLING

Plant down industrial institutions and encourage the development of agriculture and stock-raising.

MR. DONALD STRACHAN

I think the Government should encourage the following industries among natives: farming (agricultural), tree-planting, fishing, and

marine. (Note—the Kroomen make good sailors; note also that Government should develop the fishing industries on our coasts). These industries should be encouraged in such a manner as to enable a man's wife (or wives) and family to accompany him in seeking work or settling in some industrial centre, as the present separation for (in some cases) months leads to immorality in both sexes.

Roadside shelters should be provided at the different magistracies and along main roads for the convenience of those seeking or returning from work, and better treatment whilst travelling by rail.

Owing to the change in their life from that of native customs pure and simple to that induced by more and more contact with whites, and owing to their great losses through rinderpest, the question of “lobola” should be dealt with to ensure its gradual abolition. The loss of stock through rinderpest will ultimately prove of benefit in obtaining a solution of this question.

NATAL

REV. D. BRYANT

There are very many more most important phases of the native question not touched upon in your circular—*e.g.* those relating to polygamy, *lobola*, and traffic in females, extinction of witchery, suppression of ignorant and harmful native “medicine” and herbalism, present retention and legalisation of numerous barbarous and heathen customs, separate code of law for natives and Europeans, etc., etc. But the paramount question of native education deserves an especial remark. For a fuller reference to this matter I would respectfully draw your attention to an article penned by the writer of this report, and which appeared in the *Natal Witness* (Maritzburg), in the weekly edition for the week ending September 30th, 1899. I will here confine myself to two salient points therein touched upon. The Governmental tribute paid, in the shape of hut tax, by the natives of Zululand (alone) for the year 1898 was £43,000. The total cost of civil administration of the country for the same year was £14,651, leaving a sum of £28,000 over for other purposes. Of this £28,000 only £812 was in the same year (and the highest average up to date) devoted to the grave matter of the social, moral, industrial, and intellectual education and improvement of the people! The total population is about 200,000 souls. For these, in spite of the annual £43,000 paid by them, not one *single* Government school exists, and the petty sum stated above, doled out among some thirty different mission schools, all established and maintained by the missionaries' private generosity, is not only next to useless, but, compared with the importance of the work done by the missionary and the huge expense necessarily incurred therein by him, seems a veritable mockery. Furthermore, the *British* Government, by law and by police, *prohibits* any Zulu child attending any school against the wish and permission of its heathen and ignorant parents—which permission is practically never given. Of the *few hundred* children now attending school in Zululand, nearly all are doing so in open transgression of the law, and they are being harboured by the missionaries under the constant liability of prosecution by the Government, which last is an actual occurrence more frequent than pleasant.

MR. G. H. DAVIES

The native races are chiefly hindered in their advancement by an education conducted upon false principles. The missionary does not consider that his message is sufficient without a scholastic training that is in advance of the Kafir's moral position, and, in his eagerness to produce black imitations of white citizens, he sophisticates rather than educates. The result is the "school-Kafir," a reproach and a by-word all over South Africa, a useless being who, often ashamed of working with his hands and not to be trusted with his head, is carefully avoided by all employers of experience, and is thus driven back into kraal life or into dishonest courses. The missionary, working amongst the most child-like and receptive people in the world, has no excuse for this disregard of his advantage in teaching the African but the wish to please English subscribers by producing striking superficial results; a real ordained black clergyman with quiet manners and in real canonicals seems such a marvellous outcome of work amidst savages that the home-staying Briton does not care to look beneath to find that the wonder is simply a veneered negro, utterly incompetent to rule as a commissioned officer, but who, vain of his ill-fitting position, may any day break away from control and mislead his more ignorant kindred. The truth is that the Kafir does not yet require book-learning; he is in the kindergarten stage in mundane matters, and would receive religion far better through oral instruction than through an art which must put more poison in his path than good food. If the mission stations would confine themselves to the production of steady, reliable men and women with thorough rudimentary knowledge of simple home and farm work, the superior of these would find the way to raise themselves in a more solid fashion than by mere mimicry of European polish. If the missionary would rely upon his creed, and upon Christian ethics in simple matters, to furnish mental pabulum for his native pupils, instead of seeking to produce useless Kafir clerks who will never find work, he will supply the state with good citizens, though in a humble capacity, and with better Christians than he now does. Here, in South Africa, we must disregard all negrophile sentimentality, and, remembering that we have three great divisions of our people which must, in the interests of all progress, never be allowed to regard themselves as upon equal terms, sternly refuse to permit such an admixture as children in schools or as adults in public life. What is an academic question in Europe is here brought home to us daily as one affecting all that is valuable in life, which is hourly threatened by a false tradition of equality to be found neither in book nor fact.

MR. W. G. HAMILTON

Technical education is, I think, the greatest want of the natives in Natal. A good system of instruction in trades, etc., and the education of the natives to appreciate the advantages and dignity of work, would, I believe, prove the best instrument for the elevation of the position of the native population. They should also be taught the English language; at present only a small percentage of them can speak it.

REV. G. JOHN PUGH

It is becoming more and more apparent that the native of South Africa is a great factor in the general welfare of the country. The time is not far off when he must have legislative representation, and there is a feeling amongst them that they have no means of securing a voice to give expression to their real needs. It may be advisable to allow the educated native full franchise, and thus give him a part in the election of representatives to Parliament. They need their own representative, and I would advocate the election of a European native representative. At the present time the Secretary for Native Affairs represents the natives in the House of Assembly, but he is not responsible to the native population. Were there a direct representative of the natives directly responsible to them, we should find that they would feel they had the sympathy and help of the European population. We cannot escape the fact of a certain amount of feeling existing amongst the natives of Natal resulting from non-representation.

I am of opinion that the Government of the colony should undertake the education of the natives. At the present moment not a single Government school exists for them. The missionaries of the country are doing work which the Government ought to be responsible for; they are educating the people as best they can, while receiving a small Government grant—*viz.* 15s. per head on the average per annum. We wish the colony to recognise its responsibility to the black population, and to realise that, just as we have a strong nation if an educated one, so we shall have strong supporters in the natives of the country if they are given privileges which our own people enjoy. They are capable of a very high standard of education, and I for one feel, and feel strongly, that we must not only Christianise the aborigines of the country, but train them to become worthy citizens and leaders amongst their own people. We must once and for all admit their powers and possibilities, and give them a place in the general development of the country fitted to their station and condition of life. Freedom and liberty will raise the native population, and give them a place in the future of the land which will prove to be a blessing and a source of power.

BECHUANALAND PROTECTORATE

REV. W. C. WILLOUGHBY

Some Government help in educating natives up to Standard IV., in training native elementary school teachers for native village schools; in the technical education of the sons of chiefs and all such as could pay fees of £10 per annum for their children's education (which would do much to make handiwork fashionable in native communities). Some better method of taxation than a hut tax, which tends to overcrowding.

(c) *GOVERNMENT: COLONIAL PARLIAMENT;*

IMPERIAL CONTROL

CAPE COLONY

COADJUTOR-BISHOP OF CAPE TOWN

Continuity of policy is most essential in dealing with natives. This means that they should be as little as possible under the control of

Parliament. I believe that the more directly they are under the Crown, the better it is for them.

MR. D. A. HUNTER

The natives in Basutoland are very well off. Basutoland is practically a native reserve, where white men may not settle without special permission. It is governed directly by the High Commissioner through a Resident Commissioner, and the natives are better off than they would be under a Colonial Government. I should be glad to see the Transkeian territories, Pondoland, Zululand, Swaziland, and Bechuanaland, together with the Zoutpansberg district of the Transvaal and parts of Rhodesia, governed in the same way.

REV. W. B. RUBUSANA

Future Settlement.—With regard to legislative provisions in any future settlement of South African Affairs, we are of opinion that a careful examination of existing “treaties,” and all measures of a like nature made between the Imperial Government and the natives or their representatives in their behalf, with a view to their strict interpretation and faithful execution, should be effected. It might be pointed out that sacred “treaties” for the protection of natives, in such countries as the Transvaal, Natal, Swaziland, if not in the Colony, have not been carried out by the Imperial Government in the past.

To conclude with an instance of legislative oppression, we need only quote the system of trial by jury as it obtains in this colony, which, whatever its benefits may be in England, where a man is tried by his peers, is, on the grounds of the existing racial distinction and prejudice, most pernicious in its results, a fact which is generally admitted by all unbiassed critics. Flagrant cases of failures of justice have occurred so frequently as to entirely shake the confidence of the natives in the integrity of our courts and the impartiality of our European jurymen.

THE LATE BISHOP OF ST. JOHN’S

As to other matters, the great regenerative power, no doubt, is Christianity, and with it education, as a concomitant, but by no means as the principal power.

The people are becoming Christians quite fast enough, although the quality of their Christianity leaves much to be desired; still, it is real conversion in very many cases, and the morality of Christians gradually improves. We do not want much help or even much encouragement from the civil power. I believe, however, few of the older officials and those who know the natives well would fail to give strong evidence in favour of Christians as being free from the crime of stock stealing, as a rule, and as being law-abiding and loyal and not drunkards.

I would add that the Cape Colony Government is quite alive to their duty towards their native races, and as a rule the officials who have the administration of the law in their hands act honestly and justly to the people. Many of them take a deep interest in their welfare, and are men with whom we missionaries can take counsel in dealing with them.

MR. W. ST. J. TURNER

That the Cape legislature be left unhampered in dealing with its natives.

RHODESIA

REV. D. CARNEGIE AND OTHERS

That we are decidedly in favour of the continuation of Imperial control of Bechuanaland Protectorate, but that it should prosecute a more vigorous policy.

APPENDIX B

MEMORIAL ADDRESSED BY THE COMMITTEE TO THE COLONIAL SECRETARY

THE SOUTH AFRICAN NATIVE RACES COMMITTEE

15, DEAN'S YARD, WESTMINSTER, S.W.,
14th August, 1900.

SIR,—

As representatives of the South African Native Races Committee, we venture to submit to you that there is need for an inquiry into certain matters connected with the black and coloured population of South Africa.

The South African Native Races Committee was formed, at the suggestion of a few gentlemen here and in South Africa who had long been interested in the welfare of these natives, for the purpose of collecting, without reference to any preconceived theories, accurate and trustworthy information with respect to the social and economic condition of such races, and to set forth as fully and fairly as possible the results of such inquiries. No recent public investigation into this subject has been made; the Report of the Cape Government Commission on Native Laws and Customs of 1883 has, owing to rapidly changing circumstances, in some respects become antiquated; and there has accumulated a mass of materials which has never been reduced to order.

Even with regard to Cape Colony and Natal the time seems to have come for further inquiry in reference to many points of importance, such as the overcrowding of locations; the provision of land for surplus population; the practical effect of the Glen Grey Act; the working of the Pass Laws; the question of native education; and other matters. In other parts of British South Africa the need for a thorough investigation of native questions is still greater. Nowhere outside the above colonies, except in Basutoland, has, to the knowledge of this Committee, any investigation been made with regard to the laws and customs of the natives similar to that conducted by the above Commission.

Owing to the assistance generously given to the Committee by many correspondents in South Africa, it has been able to collect information which, it is believed, may be of use to Her Majesty's Government and to all who are interested in the welfare of the native races in that country. Among those to whom the Committee are indebted for communications and suggestions are the following: The Coadjutor Bishop of Cape Town, the Bishop of St. John's, the Bishop of Pretoria, the Rev. J. Stewart, D.D. (of Lovedale), the Rev. J. S. Moffat, C.M.G., the Rev. R. Wardlaw Thompson, Mr. Lionel Phillips,

Canon Woodrooffe, the Hon. J. Tudhope, Mr. L. L. Michell, Mr. F. C. Selous, Mr. H. W. Miller (Vice-President of Association of Mine Managers, Transvaal), the Rev. W. C. Willoughby, the Rev. D. Carnegie, the Rev. G. D. Mathews, D.D., Mr. J. W. Weir (Merchant, King William's Town), Mr. G. E. Dugmore (Managing Director, Indwe Railway, Collieries, and Land Co., Ltd.), and many missionaries and other gentlemen holding responsible positions in local administrations or as employers of native labour.

The Committee has endeavoured to summarise the results of its investigations, and the conclusions which appear to be justified. These results and conclusions have been embodied in a Report which the Committee hopes very shortly to issue. This Report will be published by Mr. John Murray, and a copy will be forwarded to Her Majesty's Government as soon as possible.

The Committee is convinced that inquiries carried out with means which are not at its disposal and on a larger scale than could be undertaken by private individuals are urgently needed; and it would venture to press on Her Majesty's Government the expediency of such inquiries being instituted at as early a date as possible, with regard to some at least of the following matters:—



- (i.) Laws, customs, and land tenure of the natives in districts which were not the subject of examination by the Cape Government Commission;
- (ii.) The operation of the existing tribal system, and the expediency of maintaining it;
- (iii.) The advisability of setting aside large areas (such as the whole or part of the Zoutpansberg district and Swaziland) to be administered for the exclusive use and benefit of the native tribes;
- (iv.) The condition of existing native locations and reserves, the terms upon which lands are secured to the natives, and the need and method of providing further lands for the surplus native population;
- (v.) The provision of further facilities for the flow of labour to centres of industry, and, if practicable, for the migration of families to such centres; the supervision of contracts of service; the securing of safe and healthy conditions of labour in the mines, and other occupations;
- (vi.) The provision of advice and assistance for natives at industrial centres, and of facilities for the deposit and transmission of their earnings;
- (vii.) The need for further Government aid for native education, and for reforms in the present system;
- (viii.) The effects of existing methods of taxation on the economic and social condition of the natives;
- (ix.) The working of the Pass Laws, with a view to ascertaining whether their mitigation or abolition is practicable;
- (x.) The administration of the Liquor Laws.

The Committee respectfully submits that an authoritative inquiry into any of these questions would produce results likely to be beneficial to the native population of South Africa.

We have the honour to be, Sir,

Your obedient servants,

EDWARD BATESON.
S. V. BLAKE.
H. R. FOX BOURNE.
ROBERT NEEDHAM CUST.
ALFRED F. FOX.
FRANCIS WM. FOX.
CECIL HANBURY.
A. LISTER HARRISON.
BOURCHIER F. HAWKSLEY.
EDWARD LEE HICKS.
G. W. KITCHIN.
JOHN MACDONELL.
G. D. MATHEWS.
HENRY STANLEY NEWMAN.
HUGH E. SEEBOHM.
EDWARD T. SLATER.
JAMES STEWART.
R. WARDLAW THOMPSON.

THE RIGHT HON. JOSEPH CHAMBERLAIN, M.P., etc., etc.,
 *Her Majesty's Principal Secretary of State*
 *for the Colonies.*

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